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STATUTES GOVERNING THE PROVINCIALY ASSISTED UNIVERSITIES OF ONTARIO

BROCK UNIVERSITY
CARLETON UNIVERSITY
UNIVERSITY OF GUELPH
LAKEHEAD UNIVERSITY
LAURENTIAN UNIVERSITY OF SUDBURY
McMASTER UNIVERSITY
UNIVERSITY OF OTTAWA
QUEEN'S UNIVERSITY AT KINGSTON
UNIVERSITY OF TORONTO
TRENT UNIVERSITY
THE UNIVERSITY OF WATERLOO
THE UNIVERSITY OF WESTERN ONTARIO
UNIVERSITY OF WINDSOR
YORK UNIVERSITY

1965

OFFICE CONSOLIDATION

THE CONTENTS OF THIS EDITION
REPRESENT THE STATUTES GOV-
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OF ONTARIO AS OF SEPTEMBER
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ONTARIO

STATUTES GOVERNING
THE PROVINCIALY ASSISTED UNIVERSITIES
OF ONTARIO

1965

Published by
THE DEPARTMENT OF UNIVERSITY AFFAIRS

THE HONOURABLE WILLIAM G. DAVIS
Minister of University Affairs

Statutes
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THE BROCK UNIVERSITY ACT, 1964.

An Act to incorporate Brock University

Statutes of Ontario, 1964

CHAPTER 127

WHEREAS Brock University, hereinafter called the ^{Preamble} Charter Corporation, by its petition has represented that it was incorporated under *The Corporations Act* by <sup>R.S.O. 1960,
c. 71</sup> letters patent bearing date October 31, 1962; and whereas the petitioner has prayed for special legislation providing for modification of its organization, government and administration, and enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

^{Interpreta-}
^{tion}

- (a) "Board" means the Board of Governors of the University;
- (b) "Chancellor" means the Chancellor of the University;
- (c) "President and Vice-Chancellor" means the President and Vice-Chancellor of the University;
- (d) "property" includes all property of any kind or nature, both real and personal;
- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University;
- (g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;
- (h) "University" means Brock University. 1964, c. 127, s. 1.

Brock University incorporated **2.**—(1) The persons named in section 6 and such other persons who may hereafter become members of the Board are hereby created a body corporate with perpetual succession and a common seal under the name of "Brock University".

Property of Charter Corporation vested in University **(2)** The property of the Charter Corporation is hereby vested in Brock University, and the liabilities of the Charter Corporation together with the benefits and burdens of all contracts and covenants of the Charter Corporation are hereby assumed by Brock University.

Charter Corporation dissolved **(3)** The Charter Corporation is dissolved sixty days after the day this Act comes into force. 1964, c. 127, s. 2.

Objects and purposes of University **3.** The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge; and
- (b) the intellectual, social, moral and physical development of its members and the betterment of society.

1964, c. 127, s. 3.

Faculties and schools **4.** The University has power to establish and maintain such faculties, schools, institutes, departments, chairs and courses as the Senate deems necessary and as shall be approved with respect to finances and facilities by the Board. 1964, c. 127, s. 4.

Degrees **5.** The University has power and authority to grant any and all university degrees and honorary degrees and diplomas in all branches of learning. 1964, c. 127, s. 5.

Provisional Board **6.** The Board of Governors, until reconstituted in accordance with section 7, shall consist of the following persons: Arthur Albert Schmon, Donald Gilpin Willmot, William Barto Gunning, James Murray Trott, Elzear John Barbeau, William Bartlett Cameron Burgoyne, Earl Davey, James Alexander Gibson, Richard Lankaster Hearn, Wilfrid Sarsfield Martin, Arthur Clouston Rae, and Earle Sheridan Howard. 1964, c. 127, s. 6.

Composition of Board **7.** Within two years after the coming into force of this Act, the Board shall be reconstituted to consist of,

- (a) the Chancellor *ex officio*;
- (b) the President and Vice-Chancellor *ex officio*;
- (c) such number of members, not exceeding thirty nor less than twenty as may be prescribed by by-law of the Board, elected or appointed for a term of up to four years in the manner prescribed by by-law of the Board. 1964, c. 127, s. 7.

8. No person on the teaching staff or administrative staff ^{Eligibility of staff} of the University, other than the Chancellor and the President, shall be a member of the Board. 1964, c. 127, s. 8.

9. The Board shall elect a chairman from among its ^{Chairman of Board} members. 1964, c. 127, s. 9.

10. After thirty days notice to any member of the Board, ^{Declaration of vacancy} the Board may, by resolution passed by at least two-thirds of the total members of the Board by votes cast at a meeting of the Board, declare vacant the seat of such member. 1964, c. 127, s. 10.

11. Except as to such matters specifically assigned by this ^{Powers of Board} Act to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, but without limiting the generality of the foregoing, power,

- (a) to appoint and remove the President and Vice-Chancellor;
- (b) to appoint and remove the Vice-Presidents, the heads and associate heads of faculties and colleges, other than affiliated colleges of the University, and the professors and other members of the teaching staff of the University, provided that all such appointments of the Board shall be made from among such persons as may be recommended by the President and Vice-Chancellor, and to appoint and remove all other officers, agents and servants of the University;
- (c) to fix the number, duties and salaries and other emoluments of the officers, clerks, employees, agents and servants of the University;
- (d) to appoint an executive committee and such other committees as it deems desirable, and to delegate to any such committee any of the powers of the Board;
- (e) to borrow money for the purposes of the University, and give security therefor on such terms and in such amounts as it deems advisable;
- (f) to make by-laws and regulations for the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies. 1964, c. 127, s. 11.

Senate

12. There shall be a Senate of the University composed of,

- (a) the Chancellor *ex officio*;
- (b) the President and Vice-Chancellor *ex officio*;
- (c) the deans of all faculties *ex officio*;
- (d) such other persons elected or appointed as the Senate determines and the Board confirms. 1964, c. 127, s. 12.

Powers of Senate

13. The Senate is responsible for the educational policy of the University, and, with the approval of the Board in so far as the expenditure of funds and the establishment of faculties are concerned, may create such faculties, departments, schools or institutes or establish chairs as it may determine, may enact by-laws and regulations for the conduct of its affairs, and, without limiting the generality of the foregoing, has power,

- (a) to elect the Chancellor;
- (b) to control, regulate and determine the educational policy of the University;
- (c) to determine the courses of study and standards of admissions to the University and continued membership therein, and qualifications for degrees and diplomas;
- (d) to conduct examinations and appoint examiners;
- (e) to deal with all matters arising in connection with the awarding of fellowships, scholarships, bursaries, medals, prizes and other awards;
- (f) to confer the degrees of Bachelor, Master and Doctor, and all other degrees and diplomas in all branches of learning that may appropriately be conferred by a University;
- (g) to confer honorary degrees in any department of learning;
- (h) to create faculty councils of committees and committees generally to exercise its powers. 1964, c. 127, s. 13.

President and Vice-Chancellor

14.—(1) There shall be a President and Vice-Chancellor of the University, who shall be appointed by the Board and who, unless otherwise provided by the Board, shall hold office during the pleasure of the Board.

(2) The Board may appoint, on the recommendation of the ^{Vice-}_{Presidents} President and Vice-Chancellor, a Vice-President or Vice-Presidents, one of whom shall act in the absence of the President and who shall have such other powers and duties as may be conferred upon him or them by the Board on the recommendation of the President.

(3) The President is Vice-Chancellor and chief executive ^{Powers and duties of President} officer of the University, and he,

- (a) in the absence of or vacancy in the office of Chancellor, shall perform the functions of the Chancellor;
- (b) shall be the chairman of the Senate;
- (c) shall supervise and direct the implementation of the educational policy and general administration of the University, the teaching staff thereof and the students thereof;
- (d) shall have sole authority to recommend academic and senior administrative appointments, promotions and termination of appointment; and
- (e) shall have such other powers and duties as may be assigned to him from time to time by the Board.

1964, c. 127, s. 14.

15. The Senate shall elect a Chancellor, who shall be the ^{Chancellor} titular head of the University, who shall confer all degrees and diplomas and who shall, subject to the will of the Senate, hold office for three years or until his successor is elected.

1964, c. 127, s. 15.

16. No religious test shall be required of any member of ^{Religious tests not required} the teaching staff, officer or servant or agent or of any member of the University, nor shall attendance upon or participation in any religious institution or observance be at any time other than voluntary. 1964, c. 127, s. 16.

17. The University has, in addition to the powers, rights ^{Property} and privileges mentioned in section 26 of *The Interpretation Act*, powers to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property whatsoever, whether real or personal, and sell, grant, convey, pledge, mortgage, hypothecate, lease or otherwise dispose of or encumber such estate or property or any part thereof from time to time and, as occasion requires, to acquire any estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding. 1964, c. 127, s. 17.

Vesting of property

18. All property heretofore or hereafter granted, conveyed, devised or bequeathed to the Charter Corporation or in trust for the benefit of the Charter Corporation is vested in the University, subject to any trust or trust affecting the property. 1964, c. 127, s. 18.

Tax exemption

19. The property vested in the University and any lands and premises leased to and occupied by the University shall not be liable to taxation or other imposition for provincial, municipal or school purposes, and shall be exempt from every description of taxation or other imposition so long as the same are actually used and occupied for the purposes of the University. 1964, c. 127, s. 19.

Property not liable to expropriation

20. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, and no power to expropriate real property hereafter conferred shall extend to such property unless the Act conferring such power applies expressly thereto. 1964, c. 127, s. 20.

Powers of expropriation

R.S.O. 1960,
c. 249

21. The University has university powers, including the power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof and all persons having an interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the secretary of the Board. 1964, c. 127, s. 21.

Application of statute of limitations

22. All property vested in the University, as far as the application thereto of any statute of limitations is concerned, shall be deemed to have been and to be real property vested in the Crown for the public use of Ontario. 1964, c. 127, s. 22.

Application of property

23. The property and the income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. 1964, c. 127, s. 23.

Investment of funds

24. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the Board, subject to any trust or trusts affecting them, may be invested and re-invested from time to

time in such investments as the Board in its absolute discretion deems meet. 1964, c. 127, s. 24.

25. The University, if authorized by by-law of the Board, ^{Borrowing power} may,

- (a) borrow money on its credit in such amounts, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any money so borrowed or the fulfillment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations. 1964, c. 127, s. 25.

26. The University has the power and capacity to affiliate ^{Power of affiliation} with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine. 1964, c. 127, s. 26.

27. The accounts of the University shall be audited at ^{Audit} least once a year by an auditor appointed by the Board. 1964, c. 127, s. 27.

28. The University shall submit to the Lieutenant Governor in Council, upon request, the annual report of the University and such other reports as may be required from time to time. 1964, c. 127, s. 28.

29. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

30. This Act may be cited as *The Brock University Act*, ^{Short title} 1964.

THE CARLETON UNIVERSITY ACT, 1952.

An Act respecting The Ottawa Association for the Advancement of Learning

Statutes of Ontario, 1952

CHAPTER 117

as amended by
1957, Chapter 130

WHEREAS The Ottawa Association for the Advance- Preamble
ment of Learning by its petition has represented that
it was incorporated in 1943 by letters patent under *The Companies Act*, and has prayed for further powers; and
whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Board of Governors of the university;
- (b) "Chancellor" means Chancellor of the university;
- (c) "University" means Carleton University;
- (d) "Corporation" means the body corporate of the university;
- (e) "Faculty Boards" means the teaching staffs of the respective faculties or schools of the university, of the rank of professor, associate professor, assistant professor or lecturer;
- (f) "President" means President of the university;
- (g) "property" includes all property, both real and personal;
- (h) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate of interest therein;
- (i) "Senate" means Senate of the university;

(j) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research. 1952, c. 117, s. 1; 1957, c. 130, s. 1.

Corporation
continued
under new
name

2. The corporation of The Ottawa Association for the Advancement of Learning is hereby continued as a body corporate with perpetual succession and a common seal under the name Carleton University, and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it now has, holds, possesses or enjoys, and, subject to the provisions of this Act, all by-laws now in force shall continue in force until amended or repealed by the Board. 1952, c. 117, s. 2; 1957, c. 130, s. 1.

Objects and
purposes

3. The objects and purposes of the University are:

- (a) The advancement of learning.
- (b) The dissemination of knowledge.
- (c) The intellectual, social, moral and physical development of its members, and the betterment of its community.
- (d) The establishment and maintenance of a non-sectarian college with university powers, having its seat in or about the City of Ottawa. 1952, c. 117, s. 3.; 1957, c. 130, s. 1.

Faculties
and schools

4. The University shall have power to establish and maintain such faculties, schools, institutes, departments, chairs and courses of instruction as shall be deemed meet by the Board. 1952, c. 117, s. 4; 1957, c. 130, s. 1.

Granting
of degrees

5. The University shall have power and authority to grant in all branches of learning any and all university degrees and honorary degrees, and diplomas. 1952, c. 117, s. 5; 1957, c. 130, s. 1.

Religious
tests not
required

6. A religious test shall not be required of any professor, lecturer, teacher, officer or servant of the University, or of any student thereof or therein; nor shall attendance upon or participation in any religious instruction or observances be at any time other than voluntary. 1952, c. 117, s. 6; 1957, c. 130, s. 1.

Property
Rev. Stat.
c. 184

7. The University shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy

any estate or property whatsoever and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate or property, in addition to or in the place thereof, without licence in mortmain and without limitation as to the period of holding. 1952, c. 117, s. 7; 1957, c. 130, s. 1.

8. All property heretofore or hereafter granted, conveyed, devised or bequeathed to Carleton University or to Carleton College or to The Ottawa Association for the Advancement of Learning, or to any person in trust for or for the benefit of any of them, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, shall be vested in the University. 1957, c. 130, s. 2.

9. Property vested in the university shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. 1952, c. 117, s. 9; 1957, c. 130, s. 1.

10. Property vested in the University shall not be liable to ^{Tax} _{exemption} taxation for provincial, municipal or school purposes and shall be exempt from every description of such taxation, but the interest of every lessee and occupant (other than an officer of the University or a member of the teaching staff or a student or servant of the University or an association or society of graduates or undergraduates or teachers or officers of the University) of real property vested in the University shall be liable to taxation. 1952, c. 117, s. 10; 1957, c. 130, s. 1.

11. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1952, c. 117, s. 11; 1957, c. 130, s. 1.

12. The property, and the income, revenues, issues and profits of all property, of the University, shall be applied ^{Application of property to objects} solely to achieving the objects and purposes of the University. 1952, c. 117, s. 12; 1957, c. 130, s. 1.

13. The funds of the University not immediately required ^{Investment of funds} for its purposes, and the proceeds of all property which comes to the hands of the Board, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board shall deem meet. 1952, c. 117, s. 13; 1957, c. 130, s. 1.

Borrowing powers

14. The University, if authorized by by-law of the Board, may,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge, charge or mortgage any part or all of the property of the University to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations,

provided that no expenditure shall be made or liability incurred which has the effect of involving or impairing any endowment of the University. 1952, c. 117, s. 14; 1957, c. 130, s. 1.

Government of University vested in Board

15.—(1) The government, conduct, management and control of the University and of its work, affairs and business, and of its property and revenues, and all other matters shall be vested in a Board of Governors which shall have all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including the power to make by-laws in respect thereof.

By-laws

(2) By-laws of the Board shall not require confirmation by the members of the Corporation.

Powers of Board

(3) Included in the powers of the Board shall be power of appointment of,

- (a) the Chancellor;
- (b) the President;
- (c) deans of faculties and members of the teaching staff; and
- (d) all other officers, employees and servants of the University,

but no person shall be appointed as a dean of a faculty, or as a member of the teaching staff of the University or of any faculty or school thereof unless he has been first nominated by the President, and no dean of a faculty or member of the teaching staff of the University or of any faculty or school thereof shall be promoted or removed from office except upon the recommendation of the President, but this provision shall not apply where there is a vacancy in the office of President. 1952, c. 117, s. 15; 1957, c. 130, s. 1.

16.—(1) The Board shall be composed of the Chancellor, ^{Board of Governors} *ex officio*, the President, *ex officio*, and thirty elected members. 1957, c. 130, s. 3.

(2) The members of the Board now in office shall continue in office until their successors are elected according to the by-laws. 1952, c. 117, s. 16(2).

17. Notwithstanding any vacancies on the Board, as long ^{Quorum} as there are at least twelve members the Board may exercise its powers, and, unless otherwise fixed by by-law of the Board, seven members shall constitute a quorum. 1952, c. 117, s. 17.

18. Without limiting the general powers conferred upon ^{special} *by-laws* or vested in the Board, the Board may make by-laws,

- (a) respecting membership in the Corporation;
- (b) respecting the election of members of the Board and its officers, their terms of office, and meetings and attendance at meetings, and fixing the quorum of the Board;
- (c) providing for the appointment of committees by the Board and for conferring authority upon any of such committees to act for the Board with respect to any matter or class or classes of matters;
- (d) providing for the appointment and establishment of such advisory, deliberative or administrative persons, offices and bodies of the University as shall be deemed meet by the Board, and fixing their respective memberships, powers and duties. 1952, c. 117, s. 18; 1957, c. 130, s. 1.

19.—(1) There shall be a Chancellor of the University who ^{Chancellor} shall be appointed by the Board and who, subject to the will of the Board, shall hold office for a term of three years or until his successor is appointed.

Idem (2) The Chancellor shall be the titular head of the University and shall confer all degrees.

Degrees (3) In the absence of the Chancellor and Vice Chancellor, the Senate shall appoint one of its members to confer degrees. 1952, c. 117, s. 19; 1957, c. 130, s. 1.

President **20.**—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

Idem (2) The President shall be Vice Chancellor and chief executive officer of the University and in the absence of or vacancy in the office of the Chancellor shall perform the functions of the Chancellor, and, subject to the will of the Board, the President shall have supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and the students thereof, and shall also have such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

Vacancy in office (3) If there is a vacancy in the office of President, the Board may appoint a member of any faculty or school to act and perform the functions and duties of President *pro tempore*. 1952, c. 117, s. 20; 1957, c. 130, s. 1.

Senate **21.** There shall be a Senate of the University, composed as follows:

- (a) The President, *ex officio*, who shall be its chairman.
- (b) Deans or chairmen of Faculty Boards, *ex officio*.
- (c) Members of Faculty Boards of the University of the rank of full professor, *ex officio*.
- (d) Such other persons as the Board shall determine. 1952, c. 117, s. 21; 1957, c. 130, s. 1.

22. Unless otherwise determined by by-law of the Board, the Senate shall,

- (a) consider and determine all courses of study, including requirements for admission;
- (b) recommend the establishment of additional faculties, schools, departments, chairs, or courses of instruction in the University;
- (c) receive and consider recommendations respecting academic matters from the Faculty Boards of the University;

- (d) conduct examinations and appoint examiners;
- (e) grant degrees and honorary degrees, and diplomas;
- (f) award University scholarships, medals and prizes;
- (g) make rules and regulations respecting the conduct and activities of the students of the University;
- (h) publish the University calendars;
- (i) make such recommendations as may be deemed proper for achieving the objects and purposes of the University;
- (j) make rules and regulations for the conduct of its affairs. 1952, c. 117, s. 22; 1957, c. 130, s. 1.

23.—(1) Persons who on the day this Act comes into force are members of The Ottawa Association for the Advancement of Learning shall continue to be members of the Corporation according to the by-laws.

(2) The members of the Corporation, jointly or severally, may make recommendations to the Board on matters pertaining to the achievement of the objects and purposes of the University. 1952, c. 117, s. 23; 1957, c. 130, s. 1.

24. The accounts of the University shall be audited at least once a year by a practising auditor. 1952, c. 117, s. 24; 1957, c. 130, s. 1.

25. The University shall submit to the Lieutenant-Governor in Council, upon request, the annual report of the University, and such other reports as may be so requested from time to time. 1952, c. 117, s. 25; 1957, c. 130, s. 1.

26. This Act comes into force on the day it receives Royal Assent.

27. This Act may be cited as *The Carleton University Act, 1952.* Short title

THE UNIVERSITY OF GUELPH ACT, 1964.

An Act to incorporate the University of Guelph

Statutes of Ontario, 1964

CHAPTER 120

as amended by

1965, Chapter 136.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

(a) "Board" means the Board of Governors of the University of Guelph;

(b) "Chancellor" means the Chancellor of the University;

(c) "President" means the President of the University;

(d) "property" includes real and personal property;

(e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;

(f) "Senate" means the Senate of the University;

(g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;

(h) "University" means the University of Guelph. 1964, c. 120, s. 1.

2. The persons named in clause *c* of section 6 and such other persons as become members of the Board or of the Senate or upon whom degrees may be granted under this Act are hereby created a body corporate with perpetual succession and a common seal under the name of "University of Guelph".

1964, c. 120, s. 2.

University
of Guelph
incorporated

Objects and
purposes of
University

3. The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge, including, without limiting the generality of the foregoing, the advancement of learning and the dissemination of knowledge respecting agriculture; and
- (b) the intellectual, social, moral and physical development of its members and the betterment of society.

1964, c. 120, s. 3; 1965, c. 136, s. 1.

Faculties
and schools

4. The University may establish and maintain faculties, schools, institutes, departments, chairs and courses. 1964, c. 120, s. 4.

Degrees

5. The University may grant in all branches of learning any and all university degrees and honorary degrees and diplomas. 1964, c. 120, s. 5.

Board of
Governors

6. There shall be a board under the name of "Board of Governors of the University of Guelph" of not more than twenty-four members, consisting of,

- (a) the Chancellor;
- (b) the President;
- (c) the following thirteen persons:
 - (i) Mr. S. G. Bennett, Georgetown, Ontario,
 - (ii) Mr. E. I. Birnbaum, Guelph, Ontario,
 - (iii) Mr. William E. Hamilton, Guelph, Ontario,
 - (iv) Mr. R. B. Hungerford, Q.C., Guelph, Ontario,
 - (v) Mr. Lawrence M. Kerr, Chatham, Ontario,
 - (vi) Mr. T. Fred Kingsmill, London, Ontario,
 - (vii) Mr. John H. McElderry, Q.C., Guelph, Ontario,
 - (viii) Dr. Jerald D. Stirk, Brampton, Ontario,
 - (ix) Mr. F. W. Presant, Toronto, Ontario,
 - (x) Mr. Albert A. Thornbrough, Etobicoke, Ontario,
 - (xi) Dr. M. St. A. Woodside, Toronto, Ontario,

(xii) Mr. Thomas A. McEwan, Guelph, Ontario,

(xiii) Mr. Frank Ryan, Ottawa, Ontario;

(d) four persons named by the Lieutenant Governor in Council; and

(e) such other persons appointed by the Board for such terms as the Board may determine by by-law. 1964, c. 120, s. 6.

7.—(1) Of the persons named in clause *c* of section 6, ^{Terms of office} the first four persons shall hold office for a period of one year, the next four persons shall hold office for a period of two years, and the remaining five persons shall hold office for a period of three years, and, as the term of any such person expires, the vacancy shall be filled by election by the Board and such election shall be for such a term as the Board may determine by by-law, and so on from time to time.

(2) Of the persons first named by the Lieutenant Governor ^{Idem} in Council, the first two persons named shall hold office for a period of two years and the remaining two persons named shall hold office for a period of three years, and, as the term of any such person expires, the vacancy shall be filled by the Lieutenant Governor in Council, and such appointment shall be for a period of three years, and so on from time to time.

(3) Where a vacancy on the Board occurs before the term ^{Filling of vacancies} of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1964, c. 120, s. 7.

8. All members of the Board are eligible for re-appointment ^{Eligibility for re-appointment, etc.} or re-election. 1964, c. 120, s. 8.

9. The Board shall elect a chairman from among its members for such period as may be determined by the Board. ^{Chairman} 1964, c. 120, s. 9.

10. After thirty days notice to any member of the Board, ^{Declaration of vacancies} the Board may, by resolution passed at a meeting of the Board by at least two-thirds of the total members of the Board, declare vacant the seat of such member. 1964, c. 120, s. 10.

Management of University vested in Board **11.** Except as to such matters by this Act specifically assigned to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board which has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the President, and the vice-presidents, if any;
- (b) to appoint, promote and remove the heads of all faculties and schools, the senior administrative officers of the University, including, but without limiting, the generality of the foregoing, the Registrar of the University, the Librarian of the University, the Comptroller of the University, and the Secretary of the Board, the teaching staff of the University, and all such other officers, clerks, employees, agents and servants as the Board deems necessary or expedient for the purposes of the University, but no person shall be appointed, promoted or removed as head of a faculty or school, as a senior administrative officer or as a member of the teaching staff of the University, except on the recommendation of the President;
- (c) to fix the numbers, duties, salaries and other emoluments of the officers, agents and servants of the University;
- (d) to appoint an executive committee and such other committees as it deems advisable, and to delegate to any such committee any of its powers;
- (e) to borrow money on the credit of the University in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (f) make, draw and endorse promissory notes or bills of exchange;
- (g) hypothecate, pledge, charge or mortgage any part or all of the property of the University to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;

- (h) issue bonds, debentures and obligations on such terms and conditions as it may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as it may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations;
- (i) to make by-laws and regulations for the conduct of its affairs, including the fixing of a quorum.
- (j) to enter into agreements with the Agricultural Research Institute of Ontario or with the Minister of Agriculture for the purpose of advancing learning and disseminating knowledge respecting agriculture in such manner, on such terms and under such conditions as may be agreed upon from time to time.

1964, c. 120, s. 12; 1965, c. 136, s. 2.

12. There shall be a Senate of the University consisting of, ^{Senate}

- (a) the President, the Academic Vice-President, if any, the head of each College, faculty and school within the University, the academic head of each college affiliated or federated with the University, the Librarian, and the Registrar of the University;
- (b) the heads of academic departments within,
 - (i) the University,
 - (ii) the Ontario Agricultural College,
 - (iii) the Ontario Veterinary College, and
 - (iv) the Macdonald Institute;
- (c) two members from the teaching staff of every faculty and school of the University and of every college affiliated or federated with the University elected for terms of one year by the teaching staffs of their respective faculties and colleges; and
- (d) such other members as the Senate may determine by by-law.

1964, c. 120, s. 12.

13. The Senate is responsible for the educational policy of ^{Powers of} ^{Senate} the University, and, with the approval of the Board in so far as the expenditure of funds and the establishment of facilities are concerned, may create such faculties, departments, schools or institutes or establish such chairs as it may determine, may enact by-laws and regulations for the conduct of its affairs, and, without limiting the generality of the foregoing, has power,

- (a) to elect the Chancellor;
- (b) to control, regulate and determine the educational policy of the University;
- (c) to determine the courses of study and standards of admissions to the University and continued membership therein, and qualifications for degrees and diplomas;
- (d) to conduct examinations and appoint examiners;
- (e) to deal with all matters arising in connection with the awarding of fellowships, scholarships, bursaries, medals, prizes and other awards;
- (f) to confer the degrees of Bachelor, Master and Doctor, and all other degrees and diplomas in all branches of learning that may appropriately be conferred by a University;
- (g) to confer honorary degrees in any department of learning;
- (h) to create faculty councils or committees and committees generally to exercise its powers. 1964, c. 120, s. 13.

President

14.—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided by the Board, shall hold office during the pleasure of the Board.

Vice-presidents

(2) The Board may appoint one or more vice-presidents who shall have such powers and duties as may be conferred on him or them by the Board on the recommendation of the President, and one vice-president shall act as President when the President is absent or there is a vacancy in the office of President and, while so acting, he has all the powers and duties of the President.

Powers and duties of President

(3) The President is vice-chancellor and chief executive officer of the University and chairman of the Senate, and, when the Chancellor is absent or there is a vacancy in the office of Chancellor, he shall perform the functions of the Chancellor, and, subject to the will of the Board, the President has supervision over and direction of the academic work and general administration of the University and the teaching staff, officers and servants and students thereof, and has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board. 1964, c. 120, s. 14.

Chancellor

15. There shall be a Chancellor elected by the Senate, who shall be the titular head of the University, who shall

confer all degrees and who shall, subject to the will of the Senate, hold office for three years and until his successor is elected. 1964, c. 120, s. 15.

16. No religious test shall be required of any professor, lecturer, teacher, officer, servant or student of the University, nor shall any religious observances according to the regulations of any particular denomination or sect be imposed upon them. 1964, c. 120, s. 16.

17. The University has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding. 1964, c. 120, s. 17.

18.—(1) Subject to subsection 3, all property that is vested in the Agricultural Research Institute of Ontario and situated on the lands described in the Schedule hereto on the 1st day of September, 1965, and all property heretofore or hereafter granted, conveyed, devised or bequeathed to, or to any person in trust for or for the benefit of, the Federated Colleges of the Department of Agriculture or any of them, the University or any faculty, school or department thereof or otherwise in connection therewith, subject to any trust affecting the same, are vested in the University.

(2) Subject to subsection 3, all property vested in Her Majesty the Queen in right of Ontario, other than that vested in the University under subsection 1, lying within the boundaries described in the Schedule hereto, on the 1st day of September, 1965, is vested in the University.

(3) The Lieutenant Governor in Council may,

(a) designate, before the 1st day of January, 1967, real property lying within the boundaries firstly described in the Schedule hereto, not exceeding in total area thirty-five acres, together with all necessary easements for sewers, watermains, lines of electric power, telephone lines and other utilities, and for ingress and egress by vehicles and pedestrians; and

(b) designate, before the 1st day of September, 1965, property other than real property situated on the lands described in the Schedule hereto,

Property

R.S.O. 1960,
c. 191

Property of
Research
Institute
and
Federated
Colleges
vested in
University

Certain
Crown
property
vested in
University

Power to
reserve
Crown
property

and, notwithstanding subsections 1 and 2, the property so designated shall be deemed not to have vested in the University, and thereupon any property so designated shall vest in Her Majesty the Queen in right of Ontario.

Release (4) The Lieutenant Governor in Council may, at any time before the 1st day of January, 1967, release any real property referred to in subsection 2, and subsection 3 does not apply to land so released. 1965, c. 136, s. 3.

Tax exemption **19.** The property vested in the University and any lands and premises leased to and occupied by the University are not liable to taxation for provincial, municipal or school purposes, and are exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University. 1964, c. 120, s. 19.

Property of University not liable to be expropriated **20.** Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto. 1964, c. 120, s. 20.

Powers of expropriation **21.**—(1) The University may, without the consent of the owner or of any person interested therein, other than a municipal corporation, enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University.

Application of 1962-63, c. 43 (2) *The Expropriation Procedures Act, 1962-63* applies to the expropriation of real property under subsection 1. 1964, c. 120, s. 21.

Application of statute of limitations **22.** All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1964, c. 120, s. 22.

Application of property **23.** The property and the income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. 1964, c. 120, s. 23.

Investment of funds **24.** The funds of the University not immediately required for its purposes and the proceeds of all property that come to the hands of the Board, subject to any trust or trusts affecting the same, may be invested and reinvested in such investments as the Board deems meet. 1964, c. 120, s. 24.

25. The University has power and capacity to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine. 1964, c. 120, s. 25.

26. The accounts of the University shall be audited at least once a year. 1964, c. 120, s. 26.

27. Upon the request of the Lieutenant Governor in Council, the University shall submit to him its annual report and shall submit such other reports as he may request from time to time. 1964, c. 120, s. 27.

28. On and after the 1st day of July, 1964, the Federated Colleges of the Department of Agriculture, comprising the Ontario Agricultural College, the Ontario Veterinary College and the Macdonald Institute, are federated with the University. 1964, c. 120, s. 28.

29. Repealed—1965, c. 113, s. 4.

30.—(1) Clauses *b* and *e* of subsection 5 of section 5 of *The University of Toronto Act, 1947* are repealed.

1947, c. 112, s. 5, subs. 5, cl. *b*, *e*, repealed

(2) Subsection 1 of section 42 of *The University of Toronto Act, 1947*, as re-enacted by section 3 of *The University of Toronto Amendment Act, 1955* and amended by section 8 of *The University of Toronto Amendment Act, 1959*, is further amended by striking out paragraphs 11 and 12 of clause *a* thereof and by striking out paragraphs 21 and 22 of clause *d* thereof.

31.—(1) This Act, except sections 29 and 30, comes into force on the day it receives Royal Assent.

(2) Sections 29 and 30 come into force on the 1st day of July, 1964.

32. This Act may be cited as *The University of Guelph Act, 1964*.

Extract

The following provision appears as Section 6 of The University of Guelph Amendment Act, 1965.

6. *The Federated Colleges of the Department of Agriculture Act, 1961-62* is repealed.

1961-62, c. 42, repealed

SCHEDEULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Township of Guelph, and in the Township of Puslinch, both in the County of Wellington, in the Province of Ontario, and being composed of Part of Lots 4, 5, 6, 7 and 8, Concession 1, Lots 6 and 7 and part of Lots 4, 5, 8 and 9, Concession 2, Lots 6 and 7 and part of Lots 8 and 9, Concession 3, part of Lot 9, Concession 4, all in Division "C" in the said Township of Guelph, and Lots 1 to 27 inclusive, Blocks A and B, College Crescent, and Lanes, according to Registered Plan 409, part of Lot 1, according to Registered Plan 283, Lots 6, 7 and 8, according to Registered Plan 378, all in the said Township of Guelph, and part of Lot 1, Concession 7, in the said Township of Puslinch, the boundaries of the said parcels being described as follows: Premising that the bearings are astronomic and are referred to the southerly limit of Lot 9, Concession 2, Division "G", in the said Township of Guelph, having a bearing of north forty-four degrees, eleven minutes east (N. $44^{\circ} 11'$ E.) derived from astronomic observation (Polaris) and relating all bearings herein thereto.

Firstly: Being Lots 6 and 7 and Part of Lots 8 and 9 in Concession 3, Division "G", in the said Township of Guelph: Commencing at the most southerly angle of the said Lot 9, Concession 3; thence north forty-five degrees, twenty-three minutes, thirty seconds west (N. $45^{\circ} 23' 30''$ W.) and following the southwesterly limits of the said Lots 9 and 8, one thousand, four hundred and eighty-four and fifty-two one-hundredths feet (1484.52'); thence north forty-five degrees, thirty-four minutes, fifty seconds west (N. $45^{\circ} 34' 50''$ W.) and following the southwesterly limits of the said Lots 7 and 6, one thousand, three hundred and fifty-two and eighty-two one-hundredths feet (1352.82') to the most westerly angle of the said Lot 6; thence north forty-four degrees, thirty-six minutes, forty seconds east (N. $44^{\circ} 36' 40''$ E.) and following the northwesterly limit of the said Lot 6, one thousand, six hundred and seventy-four and fifteen one-hundredths feet (1674.15'); thence north forty-four degrees, forty-two minutes, forty seconds east (N. $44^{\circ} 42' 40''$ E.) and continuing along the said northwesterly limit, one thousand, six hundred and seventy-two and thirty-one one-hundredths feet (1672.31') to the most northerly angle of the said Lot 6, being also a point in the southwesterly limit of Highway 6; thence south forty-five degrees, thirty-six minutes, twenty seconds east (S. $45^{\circ} 36' 20''$ E.) and following the said southwesterly limit of Highway 6, one thousand, one hundred and one and ninety-six one-hundredths feet (1101.96'); thence south forty-five degrees, twenty-two minutes, twenty seconds east (S. $45^{\circ} 22' 20''$ E.) and continuing along the said southwesterly limit of Highway 6, three hundred and fourteen and eleven one-hundredths feet (314.11'); thence south forty-four degrees, forty-three minutes west (S. $44^{\circ} 43' W.$) seventeen and forty-six one-hundredths feet (17.46') to the southwesterly limit of Highway 6 as widened; thence south forty-five degrees, seventeen minutes, twenty seconds east (S. $45^{\circ} 17' 20''$ E.) and following the said widened limit, one thousand and eighty-seven and fifty-one one-hundredths feet (1087.51'); thence continuing along the said widened limit, being a curve to the left, having a radius of one thousand, six hundred and eighty-seven and two one-hundredths feet (1687.02'), an arc distance of two hundred and seventy-one and eighty-seven one-hundredths feet (271.87'), the chord equivalent being a distance of two hundred and seventy-one and fifty-eight one-hundredths feet (271.58') on a bearing of south forty-nine degrees, fifty-four minutes, twenty seconds east (S. $49^{\circ} 54' 20''$ E.); thence south forty-five degrees, thirty-five minutes east (S. $45^{\circ} 35' E.$) forty-three and seventy one-hundredths feet (43.70') to a point in the southeasterly limit of the said Lot 9; thence south forty-four degrees, twenty minutes west (S. $44^{\circ} 20' W.$) and following the said southeasterly limit, three thousand, three hundred and forty-eight and fifty-six one-hundredths feet (3348.56'), more or less, to the point of commencement; AND DESIGNATED AS PART 1 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Secondly: Being Part of Lot 9 in Concession 4, Division "G", in the said Township of Guelph: Commencing at the most southerly angle of the said Lot 9, Concession 4; thence north forty-four degrees, sixteen minutes, twenty seconds east (N. $44^{\circ} 16' 20''$ E.) and following the south-

easterly limit of the said Lot, seven hundred and thirty-four and sixty-eight one-hundredths feet (734.68'); thence north twenty-two degrees, fifty-six minutes, forty seconds west (N. 22° 56' 40" W.) nine hundred and two and seventy-nine one-hundredths feet (902.79') to a point in the northwesterly limit of the said Lot; thence south forty-four degrees, fifty-three minutes, forty seconds west (S. 44° 53' 40" W.) and following the said northwesterly limit, one hundred and fifty-one and eighty-six one-hundredths feet (151.86'); thence south forty-three degrees, seventeen minutes, twenty seconds west (S. 43° 17' 20" W.) and continuing along the said northwesterly limit, one hundred and ninety and fifty-six one-hundredths feet (190.56'); thence south forty-three degrees, thirty-one minutes, thirty seconds west (S. 43° 31' 30" W.) and continuing along the said northwesterly limit, one hundred and ninety-four and seventy-two one-hundredths feet (194.72'); thence south forty-five degrees, thirty minutes, thirty seconds east (S. 45° 30' 30" E.) four hundred and five and twenty-six one-hundredths feet (405.26'); thence south forty-four degrees, four minutes, twenty seconds west (S. 44° 04' 20" W.) five hundred and forty-four and forty-six one-hundredths feet (544.46') to a point in the southwesterly limit of the said Lot; thence south forty-five degrees, thirty-one minutes, ten seconds east (S. 45° 31' 10" E.) and following the said southwesterly limit, four hundred and twenty-one and thirty-three one-hundredths feet (421.33'), more or less, to the point of commencement; AND DESIGNATED AS PART 2 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Thirdly: Being part of Lot 9 in Concession 4, Division "G", in the said Township of Guelph: Commencing at a point in the southeasterly limit of the said Lot distant seven hundred and thirty-four and sixty-eight one-hundredths feet (734.68') measured north forty-four degrees, sixteen minutes, twenty seconds east (N. 44° 16' 20" E.) along the said southeasterly limit from the most southerly angle of the said Lot; thence continuing north forty-four degrees, sixteen minutes, twenty seconds east (N. 44° 16' 20" E.) and following the said southeasterly limit seventy-one and fifty-eight one-hundredths feet (71.58'); thence north twenty-two degrees, fifty-six minutes, forty seconds west (N. 22° 56' 40" W.) nine hundred and one and ninety-five one-hundredths feet (901.95') to a point in the northwesterly limit of the said Lot; thence south forty-four degrees, fifty-three minutes, forty seconds west (S. 44° 53' 40" W.) and following the said northwesterly limit, seventy-one and twenty-six one-hundredths feet (71.26'); thence south twenty-two degrees, fifty-six minutes, forty seconds east (S. 22° 56' 40" E.) nine hundred and two and seventy-nine one-hundredths feet (902.79'), more or less, to the point of commencement; AND DESIGNATED AS PART 3 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Fourthly: Being part of Lot 9 in Concession 4, Division "G", in the said Township of Guelph: Commencing at the most easterly angle of the said Lot; thence south forty-four degrees, sixteen minutes, twenty seconds west (S. 44° 16' 20" W.) and following the southeasterly limit of the said Lot, six hundred and four and sixty-three one-hundredths feet (604.63'); thence north forty-five degrees, nineteen minutes, forty seconds west (N. 45° 19' 40" W.) two hundred and eighty-four and forty one-hundredths feet (284.40'); thence south forty-four degrees, sixteen minutes, twenty seconds west (S. 44° 16' 20" W.) one hundred and fifty-three and twenty one-hundredths feet (153.20'); thence south forty-five degrees, nineteen minutes, forty seconds east (S. 45° 19' 40" E.) two hundred and eighty-four and forty one-hundredths feet (284.40') to a point in the said southeasterly limit of the Lot; thence south forty-four degrees, sixteen minutes, twenty seconds west (S. 44° 16' 20" W.) and following the said southeasterly limit six hundred and seventeen and ninety-one one-hundredths feet (617.91'); thence north forty-four degrees, fifty-six minutes, ten seconds west (N. 44° 56' 10" W.) eight hundred and six and twenty one-hundredths feet (806.20'); thence south forty-three degrees, fifty minutes, forty seconds west (S. 43° 50' 40" W.) four hundred and forty-one feet (441.00'); thence south forty-five degrees, twenty-two minutes east (S. 45° 22' E.) eight hundred and three feet (803.00') to a point in the said southeasterly limit of the Lot; thence south forty-four degrees, sixteen minutes, twenty seconds west (S. 44° 16' 20" W.) and following the said south-

easterly limit, seven hundred and forty-five and sixty-five one-hundredths feet (745.65'); thence north twenty-two degrees, fifty-six minutes, forty seconds west (N. 22° 56' 40" W.) nine hundred and one and ninety-five one-hundredths feet (901.95') to a point in the northwesterly limit of the said Lot; thence north forty-four degrees, fifty-three minutes, forty seconds east (N. 44° 53' 40" E.) and following the said northwesterly limit, fifty-nine and eighty-four one-hundredths feet (59.84'); thence north forty-four degrees, thirty-four minutes, forty seconds east (N. 44° 34' 40" E.) and continuing along the said northwesterly limit, five hundred and eighty-nine and ninety-seven one-hundredths feet (589.97'); thence north forty-four degrees, five minutes, twenty seconds east (N. 44° 05' 20" E.) and continuing along the said northwesterly limit, five hundred feet (500.00'); thence north forty-four degrees, forty-six minutes, forty seconds east (N. 44° 46' 40" E.) and continuing along the said northwesterly limit, one thousand and sixty-two and six one-hundredths feet (1062.06') to a point in the northeasterly limit of the said Lot; thence south forty-five degrees, twenty-three minutes, thirty seconds east (S. 45° 23' 30" E.) and following the said northeasterly limit, eight hundred and nineteen and eighty-six one-hundredths feet (819.86'), more or less, to the point of commencement; AND DESIGNATED AS PART 4 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Fifthly: Being part of Lots 4 and 5 in Concession 1, Division "G", in the said Township of Guelph: Commencing at the most southerly angle of the said Lot 5; thence north forty-five degrees, five minutes, fifty seconds west (N. 45° 05' 50" W.) and following the southwesterly limit of the said Lot 5, six hundred and seventy-one feet (671.00'); thence north forty-six degrees, nine minutes, fifty seconds west (N. 46° 09' 50" W.) and following the southwesterly limit of the said Lot 4, five hundred and sixteen and forty-three one-hundredths feet (516.43'); thence north forty-three degrees, sixteen minutes, thirty seconds east (N. 43° 16' 30" E.) five hundred and forty-one and thirty-one one-hundredths feet (541.31'); thence north forty-five degrees, fifteen minutes, fifty seconds west (N. 45° 15' 50" W.) one hundred and thirty-six and forty-three one-hundredths feet (136.43'); thence north forty-one degrees, forty-eight minutes east (N. 41° 48' E.) two hundred and twenty-one and eighty-five one-hundredths feet (221.85') to a point in the northwesterly limit of the said Lot 4; thence north forty-four degrees, thirty-two minutes, thirty seconds east (N. 44° 32' 30" E.) and following the said northwesterly limit, nine hundred and twenty-five and fifty one-hundredths feet (925.50'); thence south forty-six degrees, eight minutes, forty seconds east (S. 46° 08' 40" E.) eighty-four and ninety one-hundredths feet (84.90'); thence north thirty-nine degrees, forty-nine minutes, fifty seconds east (N. 39° 49' 50" E.) one thousand and thirty-one and thirty-eight one-hundredths feet (1031.38') to a point in the said northwesterly limit; thence north forty-four degrees, thirty-two minutes, thirty seconds east (N. 44° 32' 30" E.) and following the said northwesterly limit six hundred and thirty-five and four one-hundredths feet (635.04') to a point in the southwesterly limit of the allowance for road between Divisions "C" and "G" in the said Township of Guelph as widened, the said allowance being sometimes known as Victoria Road; thence south forty-five degrees, eighteen minutes, thirty seconds east (S. 45° 18' 30" E.) one thousand, two hundred and ninety-six and fifty one-hundredths feet (1296.50'); thence south zero degrees, twenty-three minutes east (S. 0° 23' E.) seventy and eighty one-hundredths feet (70.80') to a point in the southeasterly limit of the said Lot 5; thence south forty-four degrees, thirty-two minutes, thirty seconds west (S. 44° 32' 30" W.) and following the said southeasterly limit three thousand, two hundred and ninety-six and fifty-seven one-hundredths feet (3296.57'), more or less, to the point of commencement; AND DESIGNATED AS PART 5 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Sixthly: Being part of Lot 4 in Concession 1, Division "G", in the said Township of Guelph: Commencing at a point in the southwesterly limit of the said Lot, distant five hundred and sixteen and forty-three one-hundredths feet (516.43') measured north forty-six degrees, nine minutes, fifty seconds west (N. 46° 09' 50" W.) along the said southwesterly limit from a point distant six hundred and seventy-one feet (671.00') measured north forty-five degrees, five minutes, fifty seconds west (N. 45°

05' 50" W.) along the southwesterly limit of Lot 5 in Concession 1, Division "G", from the most southerly angle of the said Lot 5; thence north forty-three degrees, sixteen minutes, thirty seconds east (N. 43° 16' 30" E.) five hundred and forty-one and thirty-one one-hundredths feet (541.31'); thence north forty-five degrees, fifteen minutes, fifty seconds west (N. 45° 15' 50" W.) one hundred and thirty-six and forty-three one-hundredths feet (136.43'); thence north forty-one degrees, forty-eight minutes east (N. 41° 48' E.) two hundred and twenty-one and eighty-five one-hundredths feet (221.85') to a point in the northwesterly limit of the said Lot 4; thence south forty-four degrees, thirty-two minutes, thirty seconds west (S. 44° 32' 30" W.) and following the said northwesterly limit seven hundred and sixty-five and twenty one-hundredths feet (765.20') to the most westerly angle of the said Lot 4; thence south forty-six degrees, nine minutes, fifty seconds east (S. 46° 09' 50" E.) along the said southwesterly limit of Lot 4 one hundred and fifty-nine and fifteen one-hundredths feet (159.15'), more or less, to the point of commencement; AND DESIGNATED AS PART 6 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Seventhly: Being part of Lot 4 in Concession 1, Division "G", in the said Township of Guelph: Commencing at a point in the northwesterly limit of the said Lot, distant one thousand, six hundred and ninety and seventy one-hundredths feet (1690.70') measured north forty-four degrees, thirty-two minutes, thirty seconds east (N. 44° 32' 30" E.) along the said northwesterly limit from the most westerly angle of the said Lot; thence south forty-six degrees, eight minutes, forty seconds east (S. 46° 08' 40" E.) eighty-four and ninety one-hundredths feet (84.90'); thence north thirty-nine degrees, forty-nine minutes, fifty seconds east (N. 39° 49' 50" E.) one thousand and thirty-one and thirty-eight one-hundredths feet (1031.38') to a point in the said northwesterly limit; thence south forty-four degrees, thirty-two minutes, thirty seconds west (S. 44° 32' 30" W.) and following the said northwesterly limit one thousand and twenty-eight and eighty-nine one-hundredths feet (1028.89'), more or less, to the point of commencement; AND DESIGNATED AS PART 7 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Eighthly: Being Lots 6 and 7 in Concession 2, Part of Lots 8 and 9 in Concession 2, and part of Lots 6, 7 and 8 in Concession 1, all in Division "G", in the said Township of Guelph, and Lots 1 to 27 inclusive, Blocks A and B, College Crescent and Lanes, all according to Registered Plan 409, in the said Township of Guelph: Commencing at the most westerly angle of the said Lot 6, Concession 2, being also a point in the northeasterly limit of Highway 6; thence south forty-five degrees, thirty-six minutes, twenty seconds east (S. 45° 36' 20" E.) and following the said northeasterly limit one thousand, one hundred and one and seventy-nine one-hundredths feet (1101.79'); thence south forty-five degrees, twenty-two minutes, twenty seconds east (S. 45° 22' 20" E.) and continuing along the said northeasterly limit, three hundred and fourteen and thirty-two one-hundredths feet (314.32'); thence north forty-four degrees, forty-three minutes east (N. 44° 43' E.) sixteen and fifty-four one-hundredths feet (16.54') to a point in the northeasterly limit of the said Highway 6 as widened; thence south forty-five degrees, seventeen minutes, twenty seconds east (S. 45° 17' 20" E.) and following the said limit of Highway 6 as widened, six hundred and ninety-seven and twenty-two one-hundredths feet (697.22'); thence south forty-five degrees, thirty-five minutes east (S. 45° 35' E.) and continuing along the said limit of Highway 6 as widened, six hundred and seventy-three and forty-six one-hundredths feet (673.46'); thence north forty-eight degrees, fifty-seven minutes east (N. 48° 57' E.) two hundred and fifty-seven and seventy-seven one-hundredths feet (257.77'); thence north forty-five degrees, twenty-four minutes, ten seconds east (N. 45° 24' 10" E.) three hundred and four and twenty-seven one-hundredths feet (304.27'); thence south forty-five degrees, seventeen minutes east (S. 45° 17' E.) two and seventy-six one-hundredths feet (2.76') to a point in the southeasterly limit of the said Lot 9, Concession 2; thence north forty-four degrees, eleven minutes east (N. 44° 11' E.) and following the said southeasterly limit, two thousand, four hundred and eighty-one and thirty-five one-hundredths feet (2481.35'); thence north forty-six degrees, fifteen minutes, ten seconds west (N. 46° 15' 10" W.) one thousand, one hundred and forty-five and forty-two one-hundredths

feet (1145.42'); thence north forty-four degrees, thirteen minutes, thirty seconds east (N. $44^{\circ} 13' 30''$ E.) two thousand and thirty-nine and five one-hundredths feet (2039.05'); thence north forty-four degrees, twenty-two minutes, thirty seconds east (N. $44^{\circ} 22' 30''$ E.) one thousand, five hundred and eighty-one and seventy-six one-hundredths feet (1581.76') to a point in the southwesterly limit of the allowance for road between Divisions "C" and "G" in the said Township of Guelph as widened, the said allowance being sometimes known as Victoria Road; thence north forty-five degrees, sixteen minutes, thirty seconds west (N. $45^{\circ} 16' 30''$ W.) along the said limit of Victoria Road as widened, one thousand, five hundred and eighty and twenty-three one-hundredths feet (1580.23'); thence south eighty-nine degrees, thirty-eight minutes west (S. $89^{\circ} 38' W.$) seventy and sixty one-hundredths feet (70.60') to a point in the northwesterly limit of the said Lot 6, Concession 1; thence south forty-four degrees, thirty-two minutes, thirty seconds west (S. $44^{\circ} 32' 30''$ W.) and following the said northwesterly limit, three thousand, two hundred and ninety-six and forty-three one-hundredths feet (3296.43'); thence south forty-four degrees, thirty-seven minutes, twenty seconds west (S. $44^{\circ} 37' 20''$ W.) and following the northwesterly limit of the said Lot 6, Concession 2, one thousand, two hundred and forty-two and fourteen one-hundredths feet (1242.14'); thence south forty-four degrees, thirty-nine minutes, forty seconds west (S. $44^{\circ} 39' 40''$ W.) and continuing along the said northwesterly limit of Lot 6, Concession 2, two thousand and eighty-three and twenty-six one-hundredths feet (2083.26'), more or less, to the point of commencement; AND DESIGNATED AS PART 8 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Ninthly: Being part of Lot 1, Plan 283, in the said Township of Guelph: Commencing at a point in the southeasterly limit of the said Lot, distant ninety-one and fifty one-hundredths feet (91.50') measured south forty-four degrees, forty-two minutes, forty seconds west (S. $44^{\circ} 42' 40''$ W.) along the said southeasterly limit from the most easterly angle of the said Lot; thence continuing south forty-four degrees, forty-two minutes, forty seconds west (S. $44^{\circ} 42' 40''$ W.) and following the said southeasterly limit fourteen and fifty one-hundredths feet (14.50'); thence north forty-five degrees, fifty-four minutes, thirty seconds west (N. $45^{\circ} 54' 30''$ W.) fifty-three feet (53.00'); thence north forty-four degrees, forty-two minutes, forty seconds east (N. $44^{\circ} 42' 40''$ E.) fourteen and seventy-five one-hundredths feet (14.75'); thence south forty-five degrees, thirty-seven minutes east (S. $45^{\circ} 37' E.$) fifty-three feet (53.00'), more or less, to the point of commencement; AND DESIGNATED AS PART 9 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Tenthly: Being part of Lot 1, Plan 283, in the said Township of Guelph: Commencing at the most easterly angle of the said Lot; thence south forty-four degrees, forty-two minutes, forty seconds west (S. $44^{\circ} 42' 40''$ W.) and following the southeasterly limit of the said Lot, ninety-one and fifty one-hundredths feet (91.50'); thence north forty-five degrees, thirty-seven minutes west (N. $45^{\circ} 37' W.$) fifty-three feet (53.00'); thence north forty-four degrees, forty-two minutes, forty seconds east (N. $44^{\circ} 42' 40''$ E.) seventy-six and fifty one-hundredths feet (76.50'); thence north forty-five degrees, thirty-seven minutes west (N. $45^{\circ} 37' W.$) thirty-five feet (35.00'); thence north forty-four degrees, forty-two minutes, forty seconds east (N. $44^{\circ} 42' 40''$ E.) fifteen feet (15.00') to a point in the northeasterly limit of the said Lot; thence south forty-five degrees, thirty-seven minutes east (S. $45^{\circ} 37' E.$) and following the said north-easterly limit eighty-eight feet (88.00'), more or less, to the point of commencement; AND DESIGNATED AS PART 10 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Eleventhly: Being part of Lots 4 and 5, Concession 2, Division "G", and Lots 6, 7 and 8, Plan 378, all in the said Township of Guelph: Commencing at a point in the southwesterly limit of said Lot 5, distant three hundred and thirty-five feet (335.00') measured north forty-five degrees, thirty-seven minutes west (N. $45^{\circ} 37' W.$) along the said southwesterly limit of Lot 5 from the southerly angle of the said Lot 5; thence north forty-five degrees, thirty-seven minutes west (N. $45^{\circ} 37' W.$) and continuing along the southwesterly limit of said Lot 5 and the southwesterly limits of the said Lots 8 and 7, four hundred and sixty-six and thirty one-hun-

dredths feet (466.30') to the westerly angle of said Lot 7, being also a point in the southeasterly limit of MacDonald Avenue; thence north forty-four degrees, thirty-nine minutes east (N. 44° 39' E.) and following the northwesterly limits of the said Lots 7 and 6, one hundred and eighty feet (180.00') to the northerly angle of said Lot 6; thence south forty-five degrees, thirty-seven minutes west (S. 45° 37' W.) and following the north-easterly limits of the said Lots 6 and 8, one hundred and thirty and forty one-hundredths feet (130.40') to the easterly angle of the said Lot 8, being also a point in the limit between the said Lots 4 and 5; thence north forty-four degrees, twenty-eight minutes east (N. 44° 28' E.) and following the said limit between Lots 4 and 5, four hundred and thirty-four and thirty-five one-hundredths feet (434.35'); thence north forty-five degrees, twenty-one minutes west (N. 45° 21' W.) one hundred and twenty-nine feet (129.00') to the said southeasterly limit of MacDonald Avenue; thence north forty-four degrees, thirty-nine minutes east (N. 44° 39' E.) and following the said southeasterly limit of MacDonald Avenue, two hundred and eighteen one-hundredths feet (200.18') to the westerly angle of Lot 7, Registered Plan 416; thence south forty-five degrees, eighteen minutes, thirty seconds east (S. 45° 18' 30" E.) and following the southwesterly limit of the said Lot 7, Plan 416, one hundred and twenty-eight and thirty one-hundredths feet (128.30') to the southerly angle of the said Lot 7, Plan 416, being also a point in the said limit between Lots 4 and 5; thence north forty-four degrees, thirty-four minutes, fifteen seconds east (N. 44° 34' 15" E.) and following the said limit between Lots 4 and 5, five hundred and thirty-four and nineteen one-hundredths feet (534.19'); thence north forty-four degrees, thirty minutes east (N. 44° 30' E.) and continuing along the said limit between Lots 4 and 5, one hundred and seventy-five and sixty-six one-hundredths feet (175.66'); thence south forty degrees, fifty-one minutes, ten seconds east (S. 40° 51' 10" E.) six hundred and seventy-six and fifty-two one-hundredths feet (676.52') to the southeasterly limit of the said Lot 5; thence south forty-four degrees, thirty-nine minutes, forty seconds west (S. 44° 39' 40" W.) and following the said southeasterly limit of Lot 5, one thousand, one hundred and twenty-four and sixty one-hundredths feet (1124.60'); thence north forty-five degrees, thirty-seven minutes west (N. 45° 37' W.) three hundred and thirty-five feet (335.00'); thence south forty-four degrees, thirty-nine minutes, forty seconds west (S. 44° 39' 40" W.) three hundred and forty-three feet (343.00'), more or less, to the point of commencement; AND DESIGNATED AS PART 11 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

Twelfthly: Being part of Lot 1 in Concession 7 in the said Township of Puslinch: Commencing at the most northerly angle of the said Lot, being also a point in the southwesterly limit of Highway No. 6; thence south sixty-eight degrees, fifty-one minutes, thirty seconds east (S. 68° 51' 30" E.) and following the said southwesterly limit, sixty-seven and thirty-four one-hundredths feet (67.34'); thence continuing along the said southwesterly limit, being a curve to the left, having a radius of one thousand, six hundred and eighty-seven and two one-hundredths feet (1687.02'), an arc distance of two hundred and forty and seventy-one one-hundredths feet (240.71'), the chord equivalent being a distance of two hundred and forty and fifty one-hundredths feet (240.50') on a bearing of south sixty-four degrees, thirty-four minutes, five seconds east (S. 64° 34' 05" E.); thence south sixty-eight degrees, thirty-nine minutes, twenty seconds east (S. 68° 39' 20" E.) and continuing along the said southwesterly limit, four hundred and thirteen and nineteen one-hundredths feet (413.19'); thence south forty-four degrees, twenty-two minutes, thirty seconds west (S. 44° 22' 30" W.) three thousand, six hundred and sixty-five and ninety-two one-hundredths feet (3665.92'); thence north forty-five degrees, four minutes west (N. 45° 04' W.) six hundred and sixty-eight feet (668.00') to a point in the northwesterly limit of the said Lot; thence north forty-four degrees, sixteen minutes, twenty seconds east (N. 44° 16' 20" E.) and following the said northwesterly limit, one and ninety-four one-hundredths feet (1.94'); thence north forty-four degrees, twenty minutes east (N. 44° 20' E.) and continuing along the said northwesterly limit, three thousand, three hundred and ninety-one and ten one-hundredths feet (3391.10'), more or less, to the point of commencement; AND DESIGNATED AS PART 12 on Department of Public Works, Ontario, Plan of Survey No. 1-24L.

AND SUBJECT TO an easement over the lands herein described under thirdly in favour of The Hydro-Electric Power Commission of Ontario as set out in Instrument No. 12836 registered in the Registry Office for the Registry Division for the South and Centre Riding of the County of Wellington on the 8th January, 1949;

AND SUBJECT TO an easement over the lands herein described as ninthly in favour of The Corporation of the Township of Guelph as set out in Instrument No. 15664 registered in the said Registry Office on the 28th January, 1957;

AND SUBJECT TO a ten-year lease dated 24th March, 1964, in favour of John E. Slinger of the City of Guelph to be computed from the 1st day of February, 1964, over the lands herein described as ninthly and tenthly.

THE LAKEHEAD UNIVERSITY ACT, 1965.

An Act respecting Lakehead University

Statutes of Ontario, 1965

CHAPTER 54

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Board of Governors of Lakehead University;
- (b) "Chancellor" means the Chancellor of the University;
- (c) "President" means the President of the University;
- (d) "property" includes real and personal property;
- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University;
- (g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;
- (h) "University" means Lakehead University. 1965, c. 54, s. 1.

2. The Lakehead College of Arts, Science and Technology, College created a hereafter to be known as "Lakehead University", the Board University and faculties are hereby continued and, subject to the provisions of this Act, have, hold, possess and enjoy respectively all the rights, powers and privileges that they had at the time of the passing of this Act or that are conferred upon them by this Act. 1965, c. 54. s. 2.

Objects and
purposes of
University

3. The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge; and
- (b) the intellectual, social, moral and physical development of its members and the betterment of society.

1965, c. 54, s. 3.

Faculties,
schools, etc.

4. The University may establish and maintain faculties, schools, institutes, departments, chairs and courses. 1965, c. 54, s. 4.

Degrees

5. The University may grant in all branches of learning any and all university degrees, diplomas and certificates. 1965, c. 54, s. 5.

Board
body
corporate

6. The Board of Governors of The Lakehead College of Arts, Science and Technology is hereby continued as a body corporate by the name "Board of Governors of Lakehead University". 1965, c. 54, s. 6:

Composition
of Board

7. The members of The Board of Governors of The Lakehead College of Arts, Science and Technology cease to hold office on the day this Act comes into force, and thereafter the Board shall consist of not more than thirty members as follows:

1. The President.

2. The following twenty-four persons:

John Henry Charnock, Esq., Fort William,
John Edwin Johnston Fahlgren, Esq., Cochenour,
Morson Scarth Fotheringham, Esq., Atikokan,
Kenneth Andrew Miners, Esq., Fort William,
David Irving Nattress, Esq., Port Arthur,
Ernest Gilmour Pallister, Esq., Port Arthur,
Robert James Prettie, Esq., Port Arthur,
Andrew Lewis Kenneth Switzer, Esq., Longlac,

Murray William Babe, Esq., Fort William,
John Murray Fleming, Esq., Port Arthur,
Ernest Lorne Goodall, Esq., Port Arthur,
Thomas Sidney Jones, Esq., Dryden,
Bernard Shaffer, Esq., Fort William,
Burnley Wordlow Stevens, Esq., Fort William,
Frederick Leslie Stevens, Esq., Port Arthur,
William Gordon Tamblyn, Esq., Fort William,

Melville William Bartley, Esq., Port Arthur,
Donald Charles Clark, Esq., Port Arthur,
Robert John Flatt, Esq., Fort William,
Thomas Joseph Kane, Esq., Fort William,

James Robert Machan, Esq., Fort William,
 John Norman Paterson, Esq., Fort William,
 Gavin Henry Young, Esq., Port Arthur,
 Roy Stewart Young, Esq., Fort William.

3. Three persons named by the Lieutenant Governor in Council.
4. One member appointed by the council of The Corporation of the City of Fort William for a term not to exceed three years.
5. One member appointed by the council of The Corporation of the City of Port Arthur for a term not to exceed three years. 1965, c. 54, s. 7.

8.—(1) Of the persons named in paragraph 2 of section 7, the ^{Terms of office} first eight persons shall hold office for a period of three years, the next eight shall hold office for a period of two years and the remaining eight shall hold office for a period of one year, and, as the term of any such person expires, the vacancy shall be filled by election by the Board, and such election shall be for such a term as the Board may determine by by-law, and so on from time to time.

(2) Of the persons first named by the Lieutenant Governor ^{Idem} in Council, the first person named shall hold office for a period of three years, the second person named shall hold office for a period of two years and the third person named shall hold office for a period of one year, and, as the term of any such person expires, the vacancy shall be filled by the Lieutenant Governor in Council, and such appointment shall be for a period of three years, and so on from time to time.

(3) Where a vacancy on the Board occurs before the term ^{Filling of vacancies} of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1965, c. 54, s. 8.

9. All members of the Board are eligible for re-appointment ^{Eligibility for re-appointment, etc.} or re-election. 1965, c. 54, s. 9.

10. The Board shall elect a chairman from among its ^{Chairman} members for such period as may be determined by the Board. 1965, c. 54, s. 10.

Declaration
of vacancies

11. After thirty days notice to any member of the Board, the Board may, by resolution passed at a meeting of the Board by at least two-thirds of the total members of the Board, declare vacant the seat of such member. 1965, c. 54, s. 11.

Management
of Uni-
versity
vested in
Board

12. Except as to such matters by this Act specifically assigned to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the President and the vice-presidents, if any;
- (b) to appoint, promote and remove the heads of all faculties and schools, the senior administrative officers of the University, the teaching staff of the University, and all such other officers and employees as the Board deems necessary or expedient for the purposes of the University, but no person shall be appointed, promoted or removed as head of a faculty or school, as a senior administrative officer or as a member of the teaching staff of the University, except on the recommendation of the President;
- (c) to fix the number, duties, salaries and other emoluments of the officers, agents and employees of the University;
- (d) to appoint an executive committee and such other committees as it deems advisable, and to delegate to any such committee any of its powers;
- (e) to establish such advisory bodies as it sees fit;
- (f) to borrow money on the credit of the University in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (g) to make, draw and endorse promissory notes or bills of exchange;
- (h) to hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any money so borrowed or for the fulfilment of the

obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;

- (i) to issue bonds, debentures and obligations on such terms and conditions as it may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as it may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations;
- (j) to provide for the retirement and superannuation of persons mentioned in clauses *a* and *b*;
- (k) to provide for payments by way of gratuities, retiring allowances, superannuation allowances, pensions, annuities, life insurance or health insurance, or any combination thereof payable to, in respect of, or for the benefit of the persons mentioned in clauses *a* and *b* for any class or classes thereof out of a fund or funds comprising contributions made by such persons or any class or classes thereof, or by the Board, or both, or otherwise;
- (l) to expend such sums as may be required for the purposes of funds which are established for the payment of gratuities, retirement allowances, pensions, life insurance or health insurance for the benefit of the persons mentioned in clauses *a* and *b*;
- (m) to make by-laws respecting the meetings of the Board, including the determination of a quorum necessary for the transaction of business, fixing fees to be paid by students for instruction, examinations, certificates, diplomas and any ancillary activities.

1965, c. 54, s. 12.

13. There shall be a Senate of the University composed of, ^{Senate}

- (a) the President, the Academic Vice-President, if any, the Librarian and the Registrar of the University;
- (b) the deans of all faculties;
- (c) the heads or chairmen of teaching departments; and
- (d) such other members of the teaching staff elected or appointed in such manner as the Senate may determine. 1965, c. 54, s. 13.

Powers of
Senate

14. The Senate is responsible for the educational policy of the University, and, with the approval of the Board in so far as the expenditure of funds and the establishment of facilities are concerned, may create such faculties, departments, schools or institutes or establish such chairs as it may determine, may enact by-laws and regulations for the conduct of its affairs, and, without limiting the generality of the foregoing, has power,

- (a) to control, regulate and determine the educational policy of the University;
- (b) to determine the courses of study and standards of admissions to the University and continued membership therein, and the qualifications for degrees and diplomas;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with all matters arising in connection with the awarding of fellowships, scholarships, bursaries, medals, prizes and other awards;
- (e) to confer the degrees of Bachelor, Master and Doctor, and all other degrees and diplomas in all branches of learning that may appropriately be conferred by a university;
- (f) to confer honorary degrees in any department of learning;
- (g) to create faculty councils or committees and committees generally to exercise its powers. 1965, c. 54, s. 14.

President

15.—(1) There shall be a President of the University who shall be appointed by the Board and who, unless otherwise provided by the Board, shall hold office during the pleasure of the Board.

Vice-
presidents

(2) The Board may appoint one or more vice-presidents who shall have such powers and duties as may be conferred on him or them by the Board on the recommendation of the President, and one vice-president shall act as President when the President is absent or if there is a vacancy in the office of President and, while so acting, he has all the powers and duties of the President.

President
to be chief
executive
officer, etc.

(3) The President is Vice-Chancellor and chief executive officer of the University and chairman of the Senate, and, when the Chancellor is absent or if there is a vacancy in the office

of the Chancellor, he shall perform the functions of the Chancellor, and, subject to the will of the Board, the President has supervision over and direction of the academic work and general administration of the University and the teaching staff, officers and employees and students thereof, and has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board. 1965, c. 54, s. 15.

16.—(1) There shall be a Chancellor who shall be the titular Chancellor head of the University, who shall confer all degrees, diplomas and certificates and who shall hold office for three years and until his successor is elected.

(2) The Chancellor shall be elected by an electoral board ^{Election by} _{electoral} board consisting of the President, twelve members appointed by the ^{electoral} board Board and twelve members appointed by the Senate.

(3) The President shall act as chairman of the electoral ^{Chairman of} _{electoral} board board.

(4) Should a vacancy occur in the office of Chancellor before ^{Vacancy in} _{office of} the term of office has expired, the President shall convene ^{Chancellor} an electoral board, and the new Chancellor shall hold office for a three-year term.

(5) The Chancellor is eligible for re-election. 1965, c. 54, ^{Eligibility} _{for} _{re-election} s. 16.

17. No religious test shall be required of any professor, lecturer, teacher, officer, employee or student of the University, nor shall any religious observances according to the regulations of any particular denomination or sect be imposed upon them. 1965, c. 54, s. 17.

18. *The Teachers' Superannuation Act* applies to teachers ^{Super-} _{annuation} who are on the teaching staff of the University on the day R.S.O. 1960, this Act comes into force in the same manner as if the Uni- ^{c. 392} versity were specified by name in subclause v of clause d of section 1 of that Act. 1965, c. 54, s. 18.

19. The Board has, in addition to the powers, rights and ^{Property} privileges mentioned in section 26 of *The Interpretation Act*, ^{R.S.O. 1960,} _{c. 191} power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding. 1965, c. 54, s. 19.

Trust
property
vested in
Board

20. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of The Lakehead College of Arts, Science and Technology or of the University, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, is vested in the Board. 1965, c. 54, s. 20.

Tax
exemption

21. The property vested in the Board and any lands and premises leased to and occupied by the Board or the University are not liable to taxation for provincial, municipal or school purposes, and are exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University. 1965, c. 54, s. 21.

Property
of Uni-
versity not
liable to be
expropriated

22. Real property vested in the Board is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto. 1965, c. 54, s. 22.

Application
of statute
of limita-
tions

23. All property vested in the Board shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1965, c. 54, s. 23.

Application
of property

24. The property and the income, revenues, issues and profits of all property of the Board shall be applied solely to achieving the objects and purposes of the University. 1965, c. 54, s. 24.

Investment
of funds

25. The funds of the Board not immediately required for its purposes and the proceeds of all property that come to the hands of the Board, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board deems meet. 1965, c. 54, s. 25.

Powers of
affiliation

26. The Board has power to affiliate the University with, or take into affiliation or federation with the University, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine. 1965, c. 54, s. 26.

Audit

27. The accounts of the Board shall be audited at least once a year. 1965, c. 54, s. 27.

Annual
report

28. Upon the request of the Lieutenant Governor in Council, the Board shall submit to him its annual report and shall submit such other reports as he may request from time to time. 1965, c. 54, s. 28.

29. The following are repealed:

Repeal

1. *The Lakehead College of Arts, Science and Technology* ^{1956, c. 36}
Act, 1956.

2. *The Lakehead College of Arts, Science and Technology* <sup>1961-62,
c. 69</sup>
Amendment Act, 1961-62.

30. This Act comes into force on a day to be named by the ^{Commencement}
Lieutenant Governor by his proclamation.

31. This Act may be cited as *The Lakehead University Act*, ^{Short title}
1965.

THE LAURENTIAN UNIVERSITY OF
SUDBURY ACT, 1960.

An Act to incorporate Laurentian University of Sudbury

Statutes of Ontario, 1960

CHAPTER 151

as amended by

1961-62, Chapter 154

WHEREAS The University of Sudbury, The United Preamble Church of Canada and The Incorporated Synod of the Diocese of Algoma (Anglican) by their petition have represented that they are desirous of establishing in the Province of Ontario, at or near the City of Sudbury, a non-denominational bilingual institution to provide facilities for instruction in all branches of higher learning having the rights and powers of a university; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this act,

Interpre-
tation

- (a) "affiliated college" means a college affiliated with the University;
- (b) "Board" means the Board of Governors of the University;
- (c) "college" means an institution of higher learning;
- (d) "federated college" means a college federated with the University;
- (e) "federated university" means a university federated with the University;
- (f) "property" includes all property, both real and personal;
- (g) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof or any estate or interest therein;

(h) "Senate" means the Senate of the University;

(i) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction;

(j) "University" means Laurentian University of Sudbury. 1961-62, c. 154, s. 1.

Laurentian
University
of Sudbury
incorporated

2. Ralph Douglas Parker, Robert James Askin, Benjamin Franklin Avery, Harold Bennett, Robert Campeau, William Stanley Cole, Jean Noel Desmarais, Ernest Cecil Facer, Horace John Fraser, Donald Leslie James, Nigel Mordaunt Kensit, Joseph Armand Lapalme, John Williams McBean, James Wesley McNutt, James Richard Meakes, George Merle Miller, Alibert St. Aubin, Adjutor Joseph Samson, George Clement Tate, and such other persons who may hereafter be appointed or elected President or a member of the Board or a member of the Senate or upon whom the University may confer a degree, are hereby created a body corporate with perpetual succession and a common seal under the name of "Laurentian University of Sudbury". 1960, c. 151, s. 2.

Objects and
purposes

3. The objects and purposes of the University are,

(a) the advancement of learning and the dissemination of knowledge; and

(b) the intellectual, social, moral and physical development of its members and the betterment of society.

1960, c. 151, s. 3.

Powers:

4.—(1) The University has university powers, including the power,

establish
courses

(a) to establish and maintain, in either or both of the French and English languages, such faculties, schools, institutes, departments and chairs as determined by the Board, other than those already established by The University of Sudbury, which faculties, schools, institutes, departments and chairs are continued in the University under authority of the Board and Senate;

degrees

(b) to confer university degrees, honorary degrees, awards and diplomas in any and all branches of learning, except in Theology;

University
College

(c) to establish a college of the University within the Faculty of Arts and Science, to be known as Uni-

versity College, which college shall give instruction in either or both of the French and English languages in such subjects, excepting religious knowledge, as may from time to time be approved by the Faculty of Arts and Science of the University and be consented to by the Senate and Board, and the University shall accept such courses in partial fulfilment of the requirements for a degree under the same academic terms and conditions as would obtain if the instruction were given in the University;

- (d) to admit church-related universities or colleges into federation as colleges of the Faculty of Arts and Science, which church-related universities or colleges have the right to give instruction in philosophy and religious knowledge and in such other subjects as may from time to time be approved by the Faculty of Arts and Science of the University and be consented to by the Senate and Board, and the University shall accept such courses in partial fulfilment of the requirements for a degree under the same academic terms and conditions as would obtain if the instruction were given in University College; federation of church-related colleges
- (e) to permit federation or affiliation of other colleges or universities with the University and to make agreements for federation or affiliation with other colleges or universities, provided that Hearst College and Prince Albert College, presently affiliated with The University of Sudbury, may enter into agreements to affiliate with the University; federation
- (f) in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy any estate or property whatsoever, and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease or otherwise dispose of the same or any part thereof from time to time as occasion may require and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding; University property
R.S.O. 1960,
c. 191
- (g) without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof and all persons having an interest exprop-
riation

therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the secretary of the Board;

borrowing (h) if authorized by by-law of the Board,

- (i) to borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board,
- (ii) to make, draw and endorse promissory notes or bills of exchange,
- (iii) to hypothecate, pledge, charge or mortgage any or all of its property to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it,
- (iv) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide and hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any such bonds, debentures and obligations.

(2) Every undergraduate student in the Faculty of Arts and Science shall enrol either in University College or in one of the church-related colleges of the Faculty. 1961-62, c. 154, s. 2, part.

5. The management and control of the University shall be non-denominational, and no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University, but such management and control shall be based upon Christian principles. 1961-62, c. 154, s. 2, part.

6. All property hereafter granted, conveyed, devised or bequeathed to, or to any person in trust for, or for the benefit of, the University, subject to any trust or trusts affecting the same, is vested in the University. 1960, c. 151, s. 6.

7. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto. 1960, c. 151, s. 7.

Land
vested in
University
not liable
to expro-
priation

8. All proceedings by or against the University may be had and taken in the name of "Laurentian University of Sudbury". 1960, c. 151, s. 8.

Proceedings

9. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the University, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as to the Board seems meet, and all property and revenue of the University shall be applied for the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid. 1960, c. 151, s. 9.

Investment
of funds

10. Nothing herein contained has the effect of, or shall be construed to have the effect of, rendering all or any of the members or officers of the University, or any person whomsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of the University or for or on account or in respect of any matter or thing whatsoever relating to the University. 1961-62, c. 154, s. 3.

Members
and
officers not
individually
liable for
debts

11. Property vested in the University or in any federated college or property vested in both the University and one or more federated colleges, and any property leased to and occupied by the University or federated college, or leased to and occupied by the University and one or more federated colleges, are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the University or of a federated college. 1960, c. 151, s. 11.

Tax
exemption

12. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario. 1960, c. 151, s. 12.

Application
of statute
of
limitations

13. The persons named in section 2 and five persons to be named by the Lieutenant Governor in Council, together with

Constitution
of Board

the President when appointed, shall constitute the Board of Governors of the University. 1961-62, c. 154, s. 4, part.

Terms
of office

14. The members of the Board shall hold office as follows:

- (a) of the members mentioned in section 2, six shall hold office for a period of one year, six shall hold office for a period of two years, and seven shall hold office for a period of three years, and, as the term of any such member expires, the vacancy shall be filled by election by the Board, and such election shall be for a period of three years, and so on from time to time;
- (b) the members of the Board appointed by the Lieutenant Governor in Council shall hold office for three years and until their successors are appointed by the Lieutenant Governor in Council;
- (c) as the term of any member of the Board expires, such member is eligible for re-election or re-appointment. 1961-62, c. 154, s. 4, part.

Eligibility

15. Except as otherwise provided in this Act, no principal or head of any of the academic units of the University or of any federated or affiliated college, or any member of the teaching and administrative staff of the University or of any federated or affiliated college or any member of the staff, Board, Senate or governing body of any other degree-granting institution is eligible for appointment or election as a member of the Board. 1961-62, c. 154, s. 4, part.

Filling
vacancies

16. Where a vacancy on the Board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled by the Board, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1961-62, c. 154, s. 4, part.

Chairman
and vice-
chairman

17.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman, and, in case of the absence or illness of the chairman or of there being a vacancy in the office of the chairman, the vice-chairman shall act as and have all the powers of the chairman.

Idem

(2) In case of the absence or illness of the chairman and the vice-chairman, the Board may appoint one of its members to act as chairman *pro tempore*, and the member so appointed shall act as and have all the powers of the chairman. 1961-62, c. 154, s. 4, part.

18.—(1) Except as to such matters as are by this Act specifically assigned to the President, the Senate, federated universities and federated colleges, all powers over, in respect of or in relation to the government, financial management and control of the University and of its officers, servants and agents, its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University and, without limiting the generality of the foregoing, has power,

Management of University vested in Board

- (a) to appoint and dismiss the President and Vice-Presidents;
- (b) upon the recommendation of the President, to appoint and dismiss the heads and associate heads of the faculties, departments and colleges of the University, other than of federated universities or colleges or of affiliated universities or colleges, and the professors and other members of the teaching staff of the University, other than of federated universities or colleges or of affiliated universities or colleges, and to appoint and dismiss all other officers, servants, agents and employees of the University, other than of federated universities or colleges and other than of affiliated universities or colleges, and the tenure of office and employment of all such appointments made by the Board shall, unless otherwise provided, be during the pleasure of the Board;
- (c) to determine and fix the salaries of the President, the Vice-Presidents and all other members of the teaching staff and all servants, agents and employees of the University;
- (d) to appoint an executive committee of five members and to define its powers.

(2) No action of the Board shall require confirmation by ^{Idem} the members of the University.

(3) All the powers over, in respect of or in relation to the ^{Idem} University and University College, which are not by the terms of this Act directed to be exercised by any other person or body of persons, are hereby, subject to the provisions of this Act, vested in the Board.

(4) The Board has power to make by-laws, resolutions or regulations,

Power of Board to make by-laws, etc.

- (a) pertaining to the meetings of the Board and its transactions, and fixing the quorum of the Board;

- (b) providing for the appointment of committees by the Board and for the conferring upon any of such committees of authority to act for the Board with respect to any matters or class or classes of matters, but,
 - (i) a majority of the members of every such committee, including in the computation thereof the *ex officio* members, shall be members of the Board, and
 - (ii) no decision of a committee, which includes in its membership persons who are not members of the Board, shall be valid or effective until approved and ratified by the Board;
- (c) providing for the retirement and superannuation of the persons mentioned in clauses *a* and *b* of subsection 1;
- (d) providing for payments by way of gratuities, retiring allowances, superannuation allowances, pensions, annuities or life insurance, or any combination thereof, payable to, in respect of or for the benefit of the persons mentioned in clauses *a* and *b* of subsection 1, or any class or classes thereof, out of a fund or funds comprising contributions made by such persons, or any class or classes thereof, or by the Board, or both, or otherwise, whether affected by agreements or arrangements entered into with one or more insurance companies licensed to transact business in Ontario or with Her Majesty in right of Ontario, or Her Majesty in right of Canada, or otherwise; and
- (e) providing for and governing a health service and health examination and physical instruction and training of the students of the University and University College.

Idem

- (5) Save as in this Act otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by by-law, resolution or regulation, as the Board may determine, but it is not essential to the validity of any such by-law, resolution or regulation that it be under the corporate seal of the University if it is authenticated in the manner prescribed by the Board. 1961-62, c. 154, s. 4, part.

*Composition
of Senate*

- 19.** There shall be a Senate of the University composed of,
 - (a) the President, *ex officio*, who shall be its chairman;
 - (b) the Academic Vice-President, *ex officio*, when there is such an official;

- (c) the principal or head of each federated university and college;
- (d) the dean of each faculty and school of the University;
- (e) the Librarian;
- (f) the Registrar of the University, who shall be the secretary of the Senate;
- (g) the Director of the Extension Department of the University;
- (h) one full-time professor elected annually by each federated university and college;
- (i) two full-time professors elected annually by each faculty, school and college of the University. 1961-62
c. 154, s. 4, part.

20. No person is eligible for appointment as a member of the Senate who is a member of a governing body or senate or faculty of any degree-granting university, college or institution of higher learning, other than the University and its federated and affiliated colleges. 1961-62, c. 154, s. 4, part.

Ineligibility
of members
of another
university

21. The Senate is responsible for the educational policy of the University, and, with the approval of the Board in so far as the expenditure of funds and establishment of facilities are concerned, may create faculties, schools, institutes, departments, chairs or courses of instruction within the University, may create faculty concils to act as committees which may recommend to the Senate regulations respecting the admission of the students, courses of study and requirements for graduation, may pass by-laws, resolutions and regulations in respect of matters in this section referred to, and may from time to time amend or replace any of its by-laws, resolutions and regulations, and, without limiting the generality of the foregoing, the Senate has power,

Powers of
Senate

- (a) to conduct examinations and appoint examiners;
- (b) to deal with matters that arise in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (c) to confer degrees of Bachelor, Master and Doctor in the several arts, sciences and faculties and all other degrees that may appropriately be conferred by a university, except degrees in Theology;

(d) to confer honorary degrees with the concurrence of the Board. 1961-62, c. 154, s. 4, part.

Idem

22. In addition to such other powers and duties as are expressly mentioned in this Act, the Senate shall,

- (a) provide for the regulation and conduct of its proceedings, including the determination of a quorum necessary for the transaction of business;
- (b) provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in this Act;
- (c) recommend to the Board the federation or affiliation of any university or college, the dissolution or suspension of any such federation or affiliation or the modification or alteration of the terms thereof;
- (d) consider and determine, on the recommendations of the respective faculty and school councils, the courses of study in all faculties and schools;
- (e) provide, if deemed necessary by the Senate, for an executive committee, which shall act in the name and on behalf of the Senate, whose constitution and powers shall be as the Senate may from time to time determine;
- (f) consider all such matters as are reported to it by any faculty council and communicate its opinion or action thereon to the faculty council;
- (g) make rules and regulations for the management and conduct of the library, and prescribe the duties of the Librarian;
- (h) make such changes in the composition of the Senate as may be deemed expedient; provided that no change shall be made that affects the rights of representation thereon of a federated university or college, unless the change is assented to by the federated university or college affected by the change and is approved by the Board. 1961-62, c. 154, s. 4, part.

Court of
Discipline

23. There shall be a committee, to be called the Court of Discipline, which shall be composed of the President, who shall be the chairman, the Registrar of the University, the principal or head of University College and of each federated university or college, the Dean of Men and the Dean of Women, if and when appointed, and the dean of each faculty or school of the

University, and the presence of at least four members constitutes a quorum at a meeting of the Court of Discipline. 1961-62, c. 154, s. 4, part.

24.—(1) The governing body of each federated university or college has disciplinary jurisdiction over and the entire responsibility for the conduct of its students in respect of all matters arising or occurring in or upon its university or college buildings and grounds, including residences. Disciplinary jurisdiction of governing bodies

(2) In all other cases, as respects all students of the University and of each federated university or college, disciplinary action is vested in the Court of Discipline, but the Court of Discipline may delegate its authority in any particular case or by general regulations to the governing body of the faculty, school or college to which the student belongs. 1961-62, c. 154, s. 4, part. Disciplinary jurisdiction of Court of Discipline

25.—(1) The power of the Court of Discipline includes **Punishment** power to suspend, to impose fines and to recommend to the Senate the withholding of degrees, diplomas, certificates or academic standing.

(2) In cases involving conduct that the Court of Discipline **Expulsion** or the governing body of a federated university or college considers may warrant the punishment of expulsion, the Court of Discipline has power to award, either in addition to or in substitution for any other punishment that may be awarded, the punishment of expulsion, subject to confirmation by the Board, whose decision is final and not open to review. 1961-62, c. 154, s. 4, part.

26. With respect to the conduct and discipline as students of the University of all students enrolled in any federated university or college or in University College, the provisions of sections 24 and 25 may be abrogated or changed by the Board. 1961-62, c. 154, s. 4, part. Power to change provisions re discipline

27. If any university or college is federated or affiliated with the University and has the right to grant degrees, such right, except for degrees in Theology, shall remain dormant during the time that such university or college remains federated or affiliated with the University. 1961-62, c. 154, s. 4, part. Suspension of degree-granting rights of federated colleges

28.—(1) There shall be a President of the University who **President** shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

(2) The President is the chief executive officer of the **Idem** University and chairman of the Senate and has supervision over and direction of the academic work and general admini-

stration of the University and the teaching staff thereof, and the students thereof, and the officers and servants thereof, and has such other powers and duties as may from time to time be conferred upon him by the Board.

Vice-Presidents (3) The Board may appoint one or more Vice-Presidents, who have such powers and duties as may be conferred upon or assigned to them by the Board. 1961-62, c. 154, s. 4, part.

Accounts **29.** The accounts of the University shall be audited at least once a year by an auditor or auditors appointed by the Board. 1961-62, c. 154, s. 4, part.

Reports **30.** The Board shall submit to the Lieutenant Governor in Council, upon request, the annual report of the University and such other reports as may be so requested from time to time. 1961-62, c. 154, s. 4, part.

Commencement **31.** This Act comes into force on the day it receives Royal Assent.

Short title **32.** This Act may be cited as *The Laurentian University of Sudbury Act, 1960.*

THE McMASTER UNIVERSITY ACT, 1957.

n Act respecting McMaster University

Statutes of Ontario, 1957

CHAPTER 144

as amended by

1962-3, Chapter 173.

WHEREAS McMaster University and Hamilton College Preamble by their petition have represented that McMaster University was incorporated by *An Act to unite Toronto 1887, Baptist College and Woodstock College under the name of McMaster University*, being chapter 95 of the Statutes of Ontario, 1887, and that Hamilton College was incorporated in 1948 by letters patent under *The Companies Act* and is R.S.O. 1937, affiliated with McMaster University; and whereas the petitioners have prayed for special legislation to vary the provisions of the Act of Incorporation of McMaster University so as to unite McMaster University and Hamilton College, remove the University from the restrictions and control of any religious body and revise the constitution and powers of the University; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means Board of Governors of the University;
- (b) "Chancellor" means Chancellor of the University;
- (c) "Divinity College" means McMaster Divinity College;
- (d) "President" means President of the University;
- (e) "property" includes all property, both real and personal;
- (f) "Senate" means Senate of the University;
- (g) "University" means McMaster University. 1957, c. 144, s. 1.

Corporation
continued

2. The corporation of McMaster University is hereby continued as a body corporate with perpetual succession and a common seal under the same name and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it now has, holds, possesses or enjoys. 1957, c. 144, s. 2.

Hamilton
College
dissolved
and
property
vested in
University

3. The University and Hamilton College shall be united and Hamilton College is hereby dissolved upon the coming into force of this Act; all property of Hamilton College is hereby vested in the University and, subject to the provisions of this Act, the University shall have, hold, possess and enjoy all property, rights, powers, privileges, purposes and objects which Hamilton College had, held, possessed or enjoyed and shall be liable for and subject to all debts and other obligations which Hamilton College was liable for or subject to immediately before its dissolution. 1957, c. 144, s. 3.

University
non-denomi-
national

4. The University shall continue to be carried on as a Christian school of learning and the management and discipline of the University shall be free from the restrictions and control of any religious body. 1957, c. 144, s. 4.

Trust
property
vested in
University

5. All property heretofore or hereafter granted, conveyed, devised or bequeathed to or to any person in trust for or for the benefit of the University or any faculty, school or department thereof or otherwise in connection therewith, or to any person in trust for or for the benefit of Hamilton College, Moulton College or Woodstock College, subject to any trusts affecting the same, shall be vested in the University. 1962-63, c. 173, s. 1.

Property

R.S.O. 1950,
c. 184

6. The University shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold, possess and enjoy, without licence in mortmain and without limitation as to the period of holding, any estate or property whatsoever and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof or any interest therein from time to time as occasion may require, and to acquire other estate or property in addition to or in the place thereof without such licence and such limitation. 1957, c. 144, s. 6.

Expropria-
tion

6a. The University shall have power without the consent of the owner or of any other person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof and all persons having an interest therein, and the provisions of

The Municipal Act as to taking land compulsorily and making compensation therefor, and as to the manner of determining and paying the compensation, apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the secretary of the Board. 1962-63, c. 173, s. 2.

7. Real property vested in the University shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. 1957, c. 144, s. 7.

8. All real property vested in the University, as far as the application thereto of any statute of limitations is concerned, shall be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1957, c. 144, s. 8.

9. Except as provided by section 18, the property of the University shall be applied solely for purposes of the University, but no part of its property other than property received in trust for purposes of the Faculty of Theology shall be applied for purposes of such Faculty. 1957, c. 144, s. 9.

10. The funds of the University not immediately required for its purposes and the proceeds of all property which come to the hands of the Board, subject to any trusts affecting the same, may be invested and re-invested in such investments as to the Board shall seem meet. 1957, c. 144, s. 10.

11. Within thirty days after the coming into force of this Act, the Board shall be reconstituted so as to be composed as follows:

- (a) The Chancellor, President and Vice-President of the University, *ex officio*.
- (b) Thirty-two members to be elected for terms of four years by the Board.
- (c) Three members to be elected for terms of three years by the Board of Trustees of the Divinity College.
- (d) Five members to be elected for terms of five years by the Alumni Association of the University from among the graduates of the University.

(e) Two members to be elected for terms of two years by the teaching staff of the University from among the heads and associate heads of the faculties and colleges, other than affiliated colleges, of the University. 1957, c. 144, s. 11; 1962-63, c. 173, s. 3.

Members eligible for re-election

12.—(1) All elected members of the Board shall be eligible for re-election. 1957, c. 144, s. 12 (1).

Eligibility of staff

(2) No person on the teaching or administrative staff of the University other than the President, a Vice-President and two members to be elected under clause e of section 11 shall be eligible for membership on the Board. 1962-63, c. 173, s. 4.

Quorum

(3) Notwithstanding any vacancies on the Board, as long as there are at least thirty members the Board may exercise its powers and ten members shall constitute a quorum.

Chairman

(4) The Board shall elect one of its members to be chairman.

Vacancies

(5) After thirty days notice to any member, the Board, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Board, may declare vacant the seat of such member.

Filling of vacancies

(6) The Board may fill any vacancy on the Board for the balance of the term involved.

Present members to continue

(7) The members of the Board now in office shall continue in office until the Board has been reconstituted as provided by section 11.

Records

(8) The Board shall keep proper records and minutes of its proceedings and proper books of account of the financial affairs of the University. 1957, c. 144, s. 12 (3-8).

Powers of Board

13. Except in such matters as are assigned by this Act to the Senate, the government, conduct, management and control of the University and of its property, revenues, business and affairs shall be vested in the Board and the Board shall have all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University including, without limiting the generality of the foregoing, power,

(a) to appoint and remove the President and one or more Vice-Presidents, the heads and associate heads of the faculties and colleges, other than affiliated colleges, of the University, the professors and other members of the teaching staff of the University,

provided that all such appointments of the Board, other than appointments for not more than twelve months, shall be made from among such persons as may be nominated by the Senate, and to appoint and remove all other officers, agents and servants of the University;

- (b) to fix the number, duties, salaries and other emoluments of all officers, agents and servants of the University;
- (c) to appoint an executive committee and such other committees as it may deem advisable and delegate to any such committee any of its powers;
- (d) to borrow money for purposes of the University and give security therefor on such terms and in such amounts as it may deem advisable;
- (e) to make by-laws and regulations for the conduct of its affairs. 1957, c. 144, s. 13; 1962-63, c. 173, s. 5.

14. Within sixty days after the coming into force of this ^{Composition of Senate} Act, the Senate shall be reconstituted so as to be composed as follows:

- (a) The Chancellor, President and Vice-Presidents, the heads and associate heads of the faculties and colleges which are part of the University, the Director of Extension and the academic heads of colleges affiliated with the University, *ex officio*.
- (b) Ten members to be elected for terms of five years by and from the Board.
- (c) Six members to be elected for terms of three years by the teaching staff of the Faculty of Arts and Science, three of whom shall be elected from the teaching staff of the departments in arts and three from the teaching staff of the departments in science.
- (d) One member from the teaching staff of every faculty of the University other than the Faculty of Arts and Science and from every college affiliated with the University, such members to be elected for terms of one year by the teaching staffs of their respective faculties or colleges.
- (e) Ten members to be elected for terms of five years by the Alumni Association of the University from among the graduates of the University.

(f) Two members to be elected for terms of two years by the association of the graduates in theology of the University from among the graduates in theology of the University. 1957, c. 144, s. 14; 1962-63, c. 173, s. 6.

15.—(1) All elected members of the Senate shall be eligible for re-election.

Quorum (2) Notwithstanding any vacancies on the Senate, as long as there are at least thirty members the Senate may exercise its powers and ten members shall constitute a quorum.

Chairman (3) The President shall be chairman of the Senate and Vice-Chancellor of the University.

Secretary (4) The Registrar of the University shall be, *ex officio*, Secretary of the Senate.

Vacancies (5) After thirty days notice to any member, the Senate, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Senate, may declare vacant the seat of such member.

Filling of vacancies (6) The Senate may fill any vacancy on the Senate for the balance of the term involved.

Present members to continue (7) The members of the Senate now in office shall continue in office until the Senate has been reconstituted as provided by section 14. 1957, c. 144, s. 14.

Powers of Senate **16.** The Senate shall have power,

(a) to appoint the Chancellor;

(b) to nominate for appointment by the Board the President and one or more Vice-Presidents, the heads and associate heads of the faculties and colleges, other than affiliated colleges, of the University, the professors and other members of the teaching staff, except in cases of appointments for not more than twelve months;

(c) to control and regulate the system of education pursued in the University and the conduct, activities and discipline of the students thereof;

(d) to determine all courses of study, including standards for admission into the University and qualifications for degrees;

- (e) to conduct examinations and appoint examiners;
- (f) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (g) to confer the degrees of bachelor, master and doctor in the several arts, sciences and faculties, and all other degrees which may appropriately be conferred by a university, including degrees in theology;
- (h) to determine, subject to ratification by the Board, the terms on which any new faculty or department may be established in the University or any college or school may become part of or be affiliated with the University;
- (i) to appoint an executive committee and such other committees as it may deem advisable and delegate to any such committee any of its powers;
- (j) to make by-laws and regulations for the conduct of its affairs. 1957, c. 144, s. 16; 1962-63, c. 173, s. 7.

17. McMaster Divinity College upon its incorporation shall be affiliated with the University. 1957, c. 144, s. 17. McMaster
Divinity
College
affiliated

18. The Board shall have power to transfer or grant to the Divinity College, as may be agreed upon with the Board of Trustees of the Divinity College, Power of
Board to
transfer
property to
Divinity
College

- (a) property from the endowment of the University having a value of not more than \$1,550,000;
- (b) property held immediately before the coming into force of this Act in trust for purposes of theological education, subject to the trusts thereof;
- (c) property received after the coming into force of this Act under wills and other instruments dated prior thereto in trust for purposes of theological education, subject to the trusts thereof;
- (d) the right to use property and services of the University while the work of the Divinity College is conducted on lands owned by the University. 1957, c. 144, s. 18.

19. Notwithstanding the provisions of sections 11 and 14, First
election
of members
of Board
and
Senate on the first election of members of the Board and Senate after the coming into force of this Act,

- (a) one-fifth of those to be elected under each of clause *d* of section 11 and clauses *b* and *e* of section 14 shall be elected for one year, one-fifth for two years, one-fifth for three years, one-fifth for four years and one-fifth for five years;
- (b) one-quarter of those to be elected by each of the Board of Governors of Hamilton College and the Board under clause *b* of section 11 shall be elected for one year, one-quarter for two years, one-quarter for three years and one-quarter for four years;
- (c) one-third of those to be elected under each of clause *c* of section 12 and clause *c* of section 15 shall be elected for one year, one-third for two years and one-third for three years;
- (d) one-half of those to be elected under each of clause *e* of section 12 and clause *f* of section 15 shall be elected for one year and one-half for two years. 1957, c. 144, s. 19.

Repeal:
1887 c. 95.;

1889, c. 91,
s. 2;

1921, c. 134

1949, c. 131

20. *An Act to unite Toronto Baptist College and Woodstock College under the name of McMaster University*, being chapter 95 of the Statutes of Ontario, 1887, section 2 of *An Act respecting the Boards of the Baptist Convention of Ontario and Quebec*, being chapter 91 of the Statutes of Ontario, 1889, *An Act respecting McMaster University*, being chapter 134 of the Statutes of Ontario, 1921, and *The McMaster University Act, 1949* are repealed.

Commence-
ment

Short title

21. This Act comes into force on the 1st day of June, 1957.

22. This Act may be cited as *The McMaster University Act, 1957*.

AN ACT RESPECTING UNIVERSITE D'OTTAWA, 1965

An Act respecting Université d'Ottawa

Statutes of Ontario, 1965

CHAPTER 137

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I

1.—(1) The corporation of “The College of Bytown”, Name
Université
d’Ottawa
changed to
Saint Paul
University which corporation had its name changed to “The College of Ottawa” and further changed to “Université d’Ottawa”, Name
Université
d’Ottawa
changed to
Saint Paul
University is hereby continued under the name of “Université Saint-Paul” in the French language and “Saint Paul University” in the English language and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it may now have, hold, possess and enjoy.

(2) Where before the passing of this Act the name “University of Ottawa” or “The University of Ottawa” or Former
names
used by
University “Ottawa University” was used by Université d’Ottawa, such name shall for all purposes be taken to have meant Université d’Ottawa.

(3) Saint Paul University, formerly Université d’Ottawa, Property,
power to
acquire
and hold has and shall be deemed always to have had, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, R.S.O. 1960,
c. 191 take or receive by gift, bequest or devise and to hold and enjoy without licence in mortmain and without limitation as to the period of holding any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof. 1965, c. 137, s. 1.

PART II

2. In this Part,

Interpre-
tation

(a) “Board” means the Board of Governors of the University of Ottawa;

- (b) "Chancellor" means the Chancellor of the University;
- (c) "property" includes real and personal property;
- (d) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (e) "Rector" means the Rector of the University;
- (f) "Senate" means the Senate of the University;
- (g) "teaching staff" includes the professors and associate professors, the assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;
- (h) "University" means the University of Ottawa. 1965, c. 137, s. 2.

University incorporated

3. The persons named in section 9, and such other persons who may hereafter become members of the Board, are hereby created a body corporate with perpetual succession and a common seal to be known in the French language under the name of "Université d'Ottawa" and in the English language under the name of "University of Ottawa". 1965, c. 137, s. 3.

Objects of University

4. The objects and purposes of the University are,

- (a) to promote the advancement of learning and the dissemination of knowledge;
- (b) to further, in accordance with Christian principles, the intellectual, spiritual, moral, physical and social development of, as well as a community spirit among, its undergraduates, graduates and teaching staff, and to promote the betterment of society;
- (c) to further bilingualism and biculturalism and to preserve and develop French culture in Ontario. 1965, c. 137, s. 4.

Religious test not required

5. No religious test shall be required of any professor, lecturer, teacher, officer, servant or student of the University, nor shall any religious observances according to the regulations of any particular denomination or sect be imposed upon them. 1965, c. 137, s. 5.

Faculties and schools

6. The University may establish and maintain faculties, schools, institutes, departments, chairs and courses. 1965 c. 137, s. 6.

7. The University may grant in all branches of learning any Degrees and all university degrees, honorary degrees, diplomas and certificates. 1965, c. 137, s. 7.

8. The management, discipline and control of the Uni-^{Management}_{of} University shall be free from the restrictions and control of any outside body, whether lay or religious, and no religious test shall be required of any member of the Board, but such management, discipline and control shall be based upon Christian principles. 1965, c. 137, s. 8.

9. There shall be a board of governors of the University ^{Composition}_{of Board} of not more than thirty-two members, consisting of,

- (a) The Rector;
- (b) the following twelve persons:

George A. Addy,
 Jean-Victor Allard,
 Paul Desmarais,
 Louis-Paul Dugal,
 Mr. Justice Gérald Fauteux,
 Lawrence Freiman,
 James P. Gilmore,
 Aurèle Gratton,
 Ascanio J. Major,
 Leo McCarthy,
 J. Barry O'Brien,
 Marcel Vincent;

- (c) four persons appointed by the Lieutenant Governor in Council who, in the first instance, shall be,

John J. Deutsch,
 Roger Duhamel,
 Cecil Morrison,
 Roger - N. Séguin;

- (d) two persons appointed by the Senate from among those of its members elected under clause *d* of subsection 1 of section 15;
- (e) two persons appointed by the Alumni Association from among its own members;
- (f) eight persons appointed by the Council of Administration of Saint Paul University who, in the first instance, shall be,

Jules Bélanger, O.M.I.,
 Arthur Caron, O.M.I.,
 Gerald Cousineau, O.M.I.,
 Sylvio Ducharme, O.M.I.,
 Jean-Charles Laframboise, O.M.I.,
 René Lavigne, O.M.I.,
 Rodrigue Normandin, O.M.I.,
 Léo-Paul Pigeon, O.M.I.;

(g) such other persons appointed by the Board for such terms as the Board may determine by by-law. 1965, c. 137, s. 9.

Board,
 term of
 office,
 method of
 appoint-
 ment

10.—(1) No members of the Board, except the Rector, shall be appointed for terms exceeding three years, and all members mentioned in clauses *b* and *g* of section 9 shall be appointed in rotation in such manner as the Board may determine by by-law.

Idem

(2) The Board shall by by-law prescribe the terms of office and the method of retirement of the persons named in clause *b* of section 9, and the terms of office and the method of appointment, replacement and retirement of their successors, and of the persons provided for in clause *g* of section 9.

Re-appoint-
 ment

(3) All members of the Board are eligible for re-appointment.

Removal

(4) After thirty days notice to any member, the Board, by a resolution passed at a meeting at which at least two-thirds of the members of the Board are present, may declare vacant the seat of such member.

Filling of
 vacancies

(5) Where a vacancy on the Board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant.

Quorum

(6) Fourteen members of the Board constitute a quorum.

Chairman,
 vice-
 chairman

(7) The Board shall elect from among its members a chairman and a vice-chairman. 1965, c. 137, s. 10.

Powers of
 Board

11. Except in such matters as are assigned by this Act to the Senate and the boards of federated and affiliated colleges and universities, the government, conduct, management and control of the University and of its property, revenues, business and affairs are vested in the Board, and

the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the Rector and the Vice-Rectors;
- (b) to appoint, promote and remove the heads of all faculties and schools, all officers of the University and of the faculties, the teaching staff of the University and all such other officers, clerks, employees, agents and servants as the Board deems necessary or expedient for the purposes of the University, but no person shall be appointed, promoted or removed as head of a faculty or school, as a senior administrative officer or as a member of the teaching staff of the University except on the recommendation of the Rector;
- (c) to fix the number, duties, salaries and other emoluments of officers, members of the teaching staff, agents and servants of the University;
- (d) to appoint an executive committee and such other committees of the Board as it deems advisable, and to delegate to any such committee any of its powers;
- (e) to borrow money on the credit of the University in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (f) to make, draw and endorse promissory notes or bills of exchange;
- (g) to hypothecate, pledge or charge any or all the property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (h) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations;

- (i) to provide for the appointment and establishment of such advisory, deliberative or administrative persons, offices and bodies of the University, including a joint committee of the Senate and the Board to discuss matters of mutual concern, as the Board deems advisable, and to fix their respective memberships, powers and duties;
- (j) to make by-laws, rules and regulations in respect of all such matters as may seem necessary or advisable for the government, management, conduct and control of the University. 1965, c. 137, s. 11.

Chancellor

12.—(1) There shall be a Chancellor of the University who shall be appointed by the Board with the concurrence of the Senate and who shall hold office for four years and is eligible for re-appointment.

Chancellor
to be
titular
head, etc.

(2) The Chancellor shall be the titular head of the University and be accorded the place of honour at commencement exercises and other functions, and, if present, he shall preside at examinations.

Rector to
be Vice-
Chancellor

(3) The Rector is Vice-Chancellor of the University and, in the absence of or vacancy in the office of the Chancellor, shall perform the functions of the Chancellor.

Degrees

(4) In the absence of the Chancellor and the Vice-Chancellor, the Senate shall appoint one of its number to confer degrees. 1965, c. 137, s. 12.

Rector,
appoint-
ment and
tenure

13.—(1) There shall be a Rector of the University who shall be appointed by the Board and who, unless otherwise provided by the Board, shall hold office during the pleasure of the Board.

Vice-Rector
and other
officers

(2) The Board shall appoint at least two Vice-Rectors and may appoint any other officers who shall have such powers and duties as may be conferred on them by the Board on the recommendation of the Rector, and one Vice-Rector shall act as Rector when the Rector is absent or if there is a vacancy in the office of Rector and, while so acting, he has all the rights, privileges, powers and duties of the Rector.

Rector to
be chief
executive

(3) The Rector is the chief executive officer of the University and chairman of the Senate and has supervision over and direction of the academic work and general administration of the University, the teaching staff, officers, servants and students thereof, and has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board. 1965, c. 137, s. 13.

14. The Secretary shall,Duties of
Secretary

- (a) be the Secretary of the Board and of the Senate;
- (b) maintain and keep the register or roll of graduates of the University and of those persons who receive honorary degrees;
- (c) sign all University diplomas after the Rector; and
- (d) perform such other duties as may be assigned to him by the Rector or by the Board. 1965, c. 137, s. 14.

15.—(1) There shall be a Senate of the University composed of, ^{Senate}

- (a) the Chancellor;
- (b) the Rector, the Vice-Rectors and the Secretary;
- (c) the dean and the secretary of each faculty, including those of the federated universities, or, in the absence of the dean, the vice-dean;
- (d) one professor or associate professor on the teaching staff of each faculty, including those of the federated universities, elected by the council of each faculty for a term of three years;
- (e) the director of each special school operated by the University but not conducted by any of its organized faculties;
- (f) the head of each federated college and university;
- (g) subject to clause *b* of subsection 1 of section 29 being implemented, the head and the Dean of Studies of St. Patrick's College of the University of Ottawa;
- (h) such other members as the Senate may determine by by-law.

(2) All elected or appointed members of the Senate are ^{Members} _{eligible for re-election} 1965, c. 137, s. 15. re-election

16.—(1) The Rector or, in his absence, the first Vice-Rector or, in the absence of both, the second Vice-Rector shall preside at all meetings of the Senate. <sup>Rector
or Vice-
Rector to
preside at
meetings</sup>

Questions
to be
decided by
vote

(2) All questions before the Senate shall be decided by a majority of the votes of the members present, including the vote of the Rector or other presiding member of the Senate, and, in the case of an equal division of such votes, the Rector or, in his absence, the presiding member at such meeting has an additional or casting vote.

Quorum

(3) A majority of all the members of the Senate constitutes a quorum.

Meetings

(4) The Senate shall meet from time to time, when convened by the Rector, and at such other times as the members of the Senate appoint and at such place in the City of Ottawa as the Rector may choose. 1965, c. 137, s. 16.

Powers of
Senate

17. The Senate is responsible for the educational policy of the University and, subject to the approval of the Board in so far as the expenditure of funds is concerned, may create, maintain and discontinue such faculties, departments, schools or institutes or establish such chairs as it may determine, may enact by-laws and regulations for the conduct of its affairs, and, without limiting the generality of the foregoing, has power,

- (a) to control, regulate and determine the educational policy of the University according to Christian principles and its bilingual tradition and character;
- (b) to determine the courses of study and standards of admissions to the University and continued membership therein, and qualifications for degrees and diplomas;
- (c) to deal with all matters arising in connection with the awarding of fellowships, scholarships, bursaries, medals, prizes and other awards;
- (d) to confer the degrees of Bachelor, Master and Doctor, and all other degrees and diplomas in all branches of learning that may appropriately be conferred by a university;
- (e) to confer honorary degrees in any branch of higher learning with the concurrence of the Board;
- (f) to create committees to exercise its powers. 1965, c. 137, s. 17.

Government
of faculty

18.—(1) Every faculty established by the University shall be governed by a council, which shall consist of the Dean, the Associate Dean, if any, the Vice-Dean, the Secretary and such other members as may be determined by the Senate.

(2) The councils of the faculties may appoint examiners and make by-laws for the good and efficient management of the affairs of the faculty, provided that no such by-law is valid until approved by the Senate with regard to matters of a purely academic nature and by the Board with regard to all other matters. 1965, c. 137, s. 18.

19. The Board may by by-law, confirmed by the Senate, provide that any college, seminary or university may become federated or affiliated with the University on such terms and for such periods of time as the Senate and the Board may determine. 1965, c. 137, s. 19.

20. The University has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy without licence in mortmain and without limitation as to the period of holding any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate or property in addition thereto or in place thereof. 1965, c. 137, s. 20.

21. The property vested in the University and any lands and premises leased to and occupied by the University are not liable to taxation for provincial, municipal or school purposes, and are exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University. 1965, c. 137, s. 21.

22. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto. 1965, c. 137, s. 22.

23. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1965, c. 137, s. 23.

24. The property and the income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. 1965, c. 137, s. 24.

25. The funds of the University not immediately required for its purposes and the proceeds of all property that come to

the hands of the Board, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board deems meet. 1965, c. 137, s. 25.

Audit

26. The accounts of the Board shall be audited at least once a year. 1965, c. 137, s. 26.

Annual report

27. Upon the request of the Lieutenant Governor in Council, the Board shall submit to him its annual report and shall submit such other reports as he may request from time to time. 1965, c. 137, s. 27.

PART III

Saint Paul University federated

28. Saint Paul University, upon the coming into force of this Act, shall become federated with the University of Ottawa, subject to such terms and conditions as may be agreed upon by the two corporations. 1965, c. 137, s. 28.

St. Patrick's College

29.—(1) St. Patrick's College, upon the coming into force of this Act, has the option of,

- (a) becoming either federated or affiliated with the University of Ottawa, subject to such terms and conditions as may be agreed upon by the institutions concerned; or
- (b) becoming an integral part of the University of Ottawa, to be known as St. Patrick's College of the University of Ottawa, upon such terms and conditions as may be mutually agreed upon between the University of Ottawa and the administrators of St. Patrick's College as it presently exists, which terms and conditions shall be incorporated in the by-laws of the University of Ottawa with the specific object of ensuring the preservation and development on the present campus of St. Patrick's College of the presently established sections of the Faculty of Arts and of the School of Social Welfare.

Effect on University undertakings

(2) Nothing in clause *b* of subsection 1 shall be construed to imply that the University of Ottawa is prevented from undertaking any other academic activities on the campus of St. Patrick's College of the University of Ottawa, provided such other activities are not inconsistent with the terms and conditions mentioned in subsection 1 as incorporated in the by-laws of the University of Ottawa. 1965, c. 137, s. 29.

Existing affiliations

30. Any other college or institution affiliated with Saint Paul University upon the coming into force of this Act has

the right under this Act of continuing its affiliation with the University of Ottawa through Saint Paul University or of negotiating separate affiliation or federation agreements with the University of Ottawa, or both, as in its discretion it deems meet. 1965, c. 137, s. 30.

31. The University of Ottawa shall grant to all students past and present of Saint Paul University full recognition towards their respective university degrees for all credits and marks awarded by Saint Paul University before this Act came into force, and shall grant degrees in its own name to all of those students who are recommended for degrees by Saint Paul University during the fall convocation for the year 1965. 1965, c. 137, s. 31.

Students' credits and marks recognized, 1965 degrees

32. The University of Ottawa and Saint Paul University, in order to give effect to the intent and purpose of this Act, may make and accept as between themselves such transfers of property upon such terms and for such consideration, including nominal consideration, and subject to such conditions and security for payment, as may be mutually agreed upon. 1965, c. 137, s. 32.

Transfer of property between universities

33. Until the University of Ottawa has organized its Senate, the Senate of Saint Paul University has power to carry out in the name of and on behalf of the Senate of the University of Ottawa its duties, functions and powers as mentioned in section 17, but such power shall not in any event be exercised by the Senate of Saint Paul University after the 31st day of October, 1965. 1965, c. 137, s. 33.

Saint Paul Senate to act temporarily for University

PART IV

34. This Act comes into force on the 1st day of July, 1965. Commencement

35. This Act may be cited as *The University of Ottawa Act*, 1965. Short title

LOI CONCERNANT L'UNIVERSITE D'OTTAWA

Loi concernant l'Université d'Ottawa

Statuts de l'Ontario, 1965

CHAPITRE 137

SA MAJESTE, sur l'avis et du consentement de l'Assemblée législative de la province d'Ontario, décrète ce qui suit:

PREMIERE PARTIE

1.—(1) La corporation du “Collège de Bytown”, dont le nom a été changé en celui de “The College of Ottawa”, puis de nouveau changé en celui de “Université d’Ottawa”, est par les présentes maintenue sous le nom de “Université Saint-Paul”, en français et de “Saint Paul University”, en anglais; sous réserve des dispositions de la présente loi, elle aura, détiendra, possédera tous les biens, droits, pouvoirs, priviléges qu’elle peut avoir, détenir, posséder ou dont elle peut jouir actuellement et (elle) en jouira.

(2) Chaque fois que, antérieurement à l’adoption de la présente loi, l’Université d’Ottawa a employé le nom “University of Ottawa” ou “The University of Ottawa” ou “Ottawa University”, ces appellations seront tenues à toutes fins pour avoir signifié “Université d’Ottawa”.

(3) L’Université Saint-Paul, autrefois l’Université d’Ottawa, a et sera considérée comme ayant toujours eu, en plus des pouvoirs, droits et priviléges mentionnés à l’article 26 de la loi intitulée *The Interpretation Act*, le pouvoir d’acheter ou d’autrement acquérir, de prendre ou de recevoir par dons, legs ou dispositions testamentaires, de détenir sans permis de mainmorte et sans limitation quant à la période de détenion, tous biens, meubles ou immeubles, tous droits dans ceux-ci, et d’en jouir; de vendre, concéder, céder, hypothéquer, louer ou aliéner ces biens de quelque autre manière, en totalité ou en partie, tel que cela pourra être requis par les circonstances; d’acquérir d’autres biens ou propriétés, en sus ou en échange. 1965, c. 137, a. 1.

DEUXIEME PARTIE

2. Dans la présente partie,

Interpré-
tation

- (a) "Bureau" signifie le Bureau des Gouverneurs de l'Université d'Ottawa;
- (b) "Chancelier" signifie le Chancelier de l'Université;
- (c) "Biens" comprend les biens meubles et immeubles;
- (d) "Biens immeubles" comprend les bâtiments, terrains, propriétés, héritages, qu'ils soient corporels ou incorporels, ainsi que toute part indivise dans lesdits biens et tout droit ou intérêt dans ceux-ci;
- (e) "Recteur" signifie le Recteur de l'Université;
- (f) "Sénat" signifie le Sénat de l'Université;
- (g) "Corps enseignant" comprend les professeurs titulaires et les professeurs agrégés, les professeurs adjoints, les chargés de cours, les assistants, instructeurs, préparateurs, ainsi que toutes autres personnes affectées à l'enseignement, aux travaux pratiques ou à la recherche;
- (h) "Université" signifie l'Université d'Ottawa. 1965, c. 137, a. 2.

Nom corporatif de l'Université

3. Les personnes désignées à l'article 9, de même que les autres personnes qui pourront, ultérieurement, devenir membres du Bureau, sont par les présentes constituées en une corporation, laquelle est dotée de la succession perpétuelle ainsi que d'un sceau collectif, et porte le nom de "Université d'Ottawa" en français et celui de "University of Ottawa" en anglais. 1965, c. 137, a. 3.

Buts de l'Université

4. Les objectifs et fins de l'Université sont les suivants:

- (a) favoriser le développement des connaissances et la diffusion du savoir;
- (b) assurer, en conformité des principes chrétiens, l'épanouissement intellectuel, spirituel, moral, physique et social, de ses sous-gradués, de ses gradués et des membres de son corps enseignant, développer parmi ceux-ci l'esprit communautaire et travailler à l'amélioration de la société;
- (c) favoriser le développement du bilinguisme et du biculturalisme, préserver et développer la culture française en Ontario. 1965, c. 137, a. 4.

5. Aucun test religieux ne sera exigé des professeurs, chargés de cours, maîtres, officiers, employés, serviteurs ou étudiants de l'Université, ni aucune cérémonie religieuse prescrite par telle dénomination ou telle secte ne leur sera imposée. 1965, c. 137, a. 5.

6. L'Université pourra fonder et entretenir des facultés, des écoles, des instituts, des départements, des chaires et des cours. 1965, c. 137, a. 6.

7. L'Université pourra conférer, dans tous les domaines de la science, tous grades universitaires, grades honorifiques, diplômes et certificats. 1965, c. 137, a. 7.

8. L'administration, la discipline et la direction de l'Université ne seront pas assujetties aux restrictions ou au contrôle d'un organisme extérieur, quel qu'il soit, laïque ou religieux, et aucun test religieux ne sera exigé des membres du Bureau, mais l'administration, la discipline et la direction seront inspirées par des principes chrétiens. 1965, c. 137, a. 8.

9. L'Université aura un Bureau des Gouverneurs dont le nombre des membres ne dépassera pas trente-deux et qui comprendra:

Composition
du Bureau

(a) le Recteur;

(b) les douze personnes suivantes:

George A. Addy,
Jean-Victor Allard,
Paul Desmarais,
Louis-Paul Dugal,
Hon. Gérald Fauteux,
Lawrence Freiman,
James P. Gilmore,
Aurèle Gratton,
Ascanio J. Major,
Leo McCarthy,
J. Barry O'Brien,
Marcel Vincent;

(c) quatre personnes nommées par le Lieutenant-gouverneur en conseil et qui, pour le début, seront,

John J. Deutsch,
Roger Duhamel,
Cecil Morrison,
Roger-N. Séguin;

- (d) deux personnes nommées par le Sénat parmi ses membres élus en conformité de l'alinéa *d* du paragraphe 1 de l'article 15;
- (e) deux personnes nommées par l'Association des anciens parmi ses propres membres;
- (f) huit personnes nommées par le Conseil d'administration de l'Université Saint-Paul et qui, pour le début, seront,

Jules Bélanger, O.M.I.,
 Arthur Caron, O.M.I.,
 Gerald Cousineau, O.M.I.,
 Sylvio Ducharme, O.M.I.,
 Jean-Charles Laframboise, O.M.I.,
 René Lavigne, O.M.I.,
 Rodrigue Normandin, O.M.I.,
 Léo-Paul Pigeon, O.M.I.;

- (g) toutes autres personnes nommées par le Bureau pour la durée des mandats que le Bureau établira par règlements. 1965, c. 137, a. 9.

Bureau—
 durée du
 mandat,
 mode de
 nomination

10.—(1) Nul membre du Bureau, à l'exception du Recteur, ne sera nommé pour des périodes de plus de trois ans et tous les membres dont il est question aux alinéas *b* et *g* de l'article 9 seront nommés selon un roulement établi par un règlement du Bureau.

Idem

(2) Le Bureau établira par règlement la durée du mandat et le mode de cessation des fonctions des personnes visées à l'alinéa *b* de l'article 9 et la durée du mandat, le mode de nomination, de remplacement et de cessation des fonctions de leurs successeurs, ainsi que de toute personne dont il est question à l'alinéa *g* de l'article 9.

Rééligibilité

(3) Tous les membres du Bureau sont rééligibles.

Révocation

(4) Moyennant préavis de trente jours adressé à l'un de ses membres, le Bureau peut, par une résolution adoptée lors d'une réunion à laquelle sont présents au moins les deux tiers des membres du Bureau, déclarer vacant le siège de ce membre.

Remplacement
 aux postes
 vacants

(5) Lorsqu'une vacance se produit au sein du Bureau avant la fin du mandat pour lequel un membre a été nommé ou élu, il sera pourvu au remplacement de ce membre de la même manière et par la même autorité que pour la nomination

ou l'élection, selon le cas, du membre dont le poste est devenu vacant; le membre ainsi nommé ou élu restera en fonction jusqu'à l'expiration du mandat du membre dont le poste est devenu vacant.

(6) Quatorze membres du Bureau constitueront le quorum. *Quorum*

(7) Le Bureau élira parmi ses membres un président et un ^{Président,} Vice-président, 1965, c. 137, a. 10.

11. A l'exception des matières pour lesquelles la présente loi donne compétence au Sénat et aux Conseils des universités et collèges fédérés et affiliés, le gouvernement, la direction, l'administration et la régie de l'Université et de ses biens, revenus, affaires et activités sont confiés au Bureau; ce Bureau possède tous les pouvoirs nécessaires et utiles à l'accomplissement de ses fonctions, à la réalisation des objectifs et fins de l'Université, y compris, sans que soit réduite la généralité des dispositions précédentes, le pouvoir,

- (a) de nommer et relever de leurs fonctions le Recteur et les Vice-Recteurs;
- (b) de nommer, promouvoir et relever de leurs fonctions les doyens de faculté, les directeurs d'école, tous les officiers de l'Université et des facultés, les membres du corps enseignant de l'Université, ainsi que tous les autres officiers, commis, employés, agents et préposés, lorsque le Bureau le juge opportun ou nécessaire à la poursuite des fins de l'Université; toutefois, nul ne sera, sans la recommandation du Recteur, nommé, promu ou relevé de ses fonctions au poste de doyen de faculté ou de directeur d'école, d'administrateur principal ou de membre du corps enseignant de l'Université;
- (c) de fixer le nombre, les fonctions, les traitements et autres émoluments des officiers, des membres du corps enseignant, des agents et des employés de l'Université;
- (d) d'instituer un comité exécutif et tout autre comité du Bureau lorsque celui-ci le jugera opportun et de déléguer ses pouvoirs à l'un quelconque desdits comités;
- (e) d'emprunter de l'argent sur le crédit de l'Université, jusqu'à concurrence de telle somme, aux conditions et de telles personnes, sociétés ou corporations, y compris les banques à charte, que peut déterminer ledit Bureau;

- (f) d'émettre, tirer et endosser des billets à ordre ou des lettres de change;
- (g) d'hypothéquer, engager ou donner en garantie, tout ou partie des biens de l'Université, pour garantir le paiement de toute somme ainsi empruntée ou l'exécution de l'obligation assumée par elle en vertu de tous billets à ordre ou lettres de change signés, émis, tirés ou endossés par elle;
- (h) d'émettre des bons, débentures et obligations aux termes et conditions que le Bureau pourra déterminer, d'engager ou de vendre ces bons, débentures et obligations pour telles sommes et à tels prix que le Bureau pourra fixer; d'hypothéquer, grever, nantir, engager, en totalité ou en partie, les biens de l'Université pour garantir lesdits bons, débentures et obligations;
- (i) de voir à la nomination du personnel et à l'établissement des postes et des organismes de l'Université, en matière consultative, délibérative ou administrative, y compris un comité mixte du Sénat et du Bureau pour examiner les affaires d'intérêt commun, chaque fois que le Bureau le juge opportun et de déterminer leur composition, leurs pouvoirs et leurs fonctions;
- (j) d'établir les règlements et les règles jugés nécessaires ou opportuns pour le gouvernement, l'administration, la direction et la régie de l'Université; d'abroger ou de modifier ces règlements et règles. 1965, c. 137, a. 11.

Chancelier

12.—(1) L'Université aura un Chancelier dont la nomination sera faite par le Bureau avec l'approbation du Sénat; la durée de ses fonctions sera de quatre ans et le titulaire est rééligible.

Chancelier,
chef titulaire,
etc.

(2) Le Chancelier sera le chef titulaire de l'Université et la place d'honneur lui sera réservée lors des collations de grades et des autres cérémonies; s'il est présent, il présidera les examens.

Le Recteur
est Vice-
Chancelier

(3) Le Recteur est Vice-Chancelier de l'Université et, en l'absence du Chancelier ou lors d'une vacance au poste de celui-ci, il remplit les fonctions de Chancelier.

Grades

(4) En l'absence du Chancelier et du Vice-Chancelier, le Sénat désignera l'un de ses membres pour conférer les grades. 1965, c. 137, a. 12.

13.—(1) L'Université aura un Recteur, lequel sera nommé^{Nomination et mandat du Recteur} par le Bureau; à moins que le Bureau n'en ait décidé autrement, le Recteur demeurera en fonction selon le bon plaisir du Bureau.

(2) Le Bureau nommera au moins deux Vice-Recteurs et^{Vice-Recteurs et autres officiers} pourra nommer tous autres officiers qui auront les pouvoirs et fonctions que le Bureau leur donnera sur la recommandation du Recteur; l'un des Vice-Recteurs remplira les fonctions du Recteur lorsque le Recteur est absent ou que son poste est devenu vacant; dans l'exercice desdites fonctions, il a tous les droits, priviléges, pouvoirs et devoirs du Recteur.

(3) Le Recteur est le directeur exécutif en chef de l'Université et le président du Sénat; il surveille et dirige le travail académique et l'administration générale de l'Université, ainsi que les membres du corps enseignant, les officiers, les employés et les étudiants de l'Université; il a aussi les autres pouvoirs et fonctions que le Bureau lui confère ou lui confie à l'occasion. 1965, c. 137, a. 13.

14. Le Secrétaire devra,

Fonctions du Secrétaire

- (a) être le secrétaire du Bureau des Gouverneurs et du Sénat;
- (b) tenir et conserver le registre ou la liste des diplômés de l'Université et des personnes qui reçoivent des grades honorifiques;
- (c) signer, après le Recteur, tous les diplômes de l'Université; et
- (d) remplir les autres fonctions que pourront lui assigner le Recteur ou le Bureau. 1965, c. 137, a. 14.

15.—(1) L'Université aura un Sénat, composé de la façon^{Sénat} suivante:

- (a) le Chancelier;
- (b) le Recteur, les Vice-Recteurs et le Secrétaire;
- (c) le doyen et le secrétaire de chacune des facultés, y compris celles des universités fédérées; en l'absence du doyen, le vice-doyen le remplacera;
- (d) un professeur titulaire ou agrégé du corps enseignant de chacune des facultés, y compris celles des universités fédérées, élu par le conseil de chaque faculté pour une période de trois ans;

- (e) le directeur de chacune des écoles spécialisées dirigées par l'Université, à l'exclusion des écoles relevant de l'une des facultés constituées;
- (f) le directeur de chaque collège ou université fédéré;
- (g) sous réserve de l'exécution de l'alinéa *b* du paragraphe 1 de l'article 29, le directeur ainsi que le directeur des études du St. Patrick's College of the University of Ottawa;
- (h) tous autres membres que le Sénat pourra déterminer par règlement.

**Rééligibilité
des membres**

(2) Tout membre élu ou nommé du Sénat peut y être réélu ou nommé de nouveau. 1965, c. 137, a. 15.

**Recteur ou
Vice-Recteur
préside**

16.—(1) Le Recteur ou, s'il est absent, le premier Vice-Recteur ou, si les deux sont absents, le second Vice-Recteur, présidera toutes les réunions du Sénat.

**Décisions par
mise aux voix**

(2) Toutes les questions dont le Sénat sera saisi devront être décidées à la majorité des voix des membres présents, y compris la voix du Recteur ou de celui qui préside la réunion du Sénat; advenant un partage égal desdites voix, le Recteur ou, en son absence, le président de ladite réunion, aura une voix additionnelle ou prépondérante.

Quorum

(3) La majorité de l'ensemble des membres du Sénat constituera le quorum.

Réunions

(4) Le Sénat se réunira de temps à autre, lorsqu'il sera convoqué par le Recteur et à toute autre date que les membres du Sénat auront déterminée; les réunions se tiendront à Ottawa, à l'endroit que le Recteur désignera. 1965, c. 137, a. 16.

**Pouvoirs
du Sénat**

17. Le Sénat est chargé d'établir la politique de l'Université dans le domaine de l'éducation; sous réserve de l'approbation du Bureau pour ce qui est des dépenses à engager, il peut, s'il le juge à propos, instituer, entretenir ou supprimer des facultés, départements, écoles ou instituts ou créer des chaires; il peut établir des règlements et règles pour régir son activité et, sans que soit restreinte la généralité des dispositions précédentes, il peut:

- (a) contrôler, réglementer et déterminer la politique de l'Université dans le domaine de l'éducation selon les principes chrétiens et conformément à sa tradition et à son caractère bilingues;

- (b) déterminer le curriculum des études et les conditions d'admission et d'appartenance à l'Université, établir les exigences pour l'obtention des grades et diplômes;
- (c) s'occuper des questions relatives à l'attribution des bourses d'études, de médailles, prix et autres récompenses;
- (d) conférer les grades de Bachelier, Maître et Docteur, ainsi que tout autre grade et diplôme qu'il convient à une université de conférer dans tous les domaines du savoir;
- (e) conférer des grades honorifiques, avec l'approbation du Bureau, dans n'importe quelle discipline du haut savoir;
- (f) créer des comités pour exercer ses pouvoirs. 1965, c. 137, a. 17.

18.—(1) Toute faculté créée par l'Université sera régie par un conseil qui comprendra le doyen, le doyen associé, s'il en est, le vice-doyen, le secrétaire et tous autres membres que le Sénat désignera.

(2) Les conseils de facultés auront le pouvoir de nommer des examinateurs, d'établir des règlements en vue d'assurer la bonne administration des affaires de la faculté; toutefois, aucun desdits règlements n'entrera en vigueur avant d'avoir été approuvé par le Sénat, s'il s'agit de questions d'ordre exclusivement académique et par le Bureau, s'il s'agit de toute autre question. 1965, c. 137, a. 18.

19. Le Bureau peut, par voie de règlement confirmé par le Sénat, décider que tout collège, séminaire ou université pourra se fédérer avec l'Université ou s'affilier à celle-ci aux conditions et pour les périodes de temps que le Sénat et le Bureau détermineront. 1965, c. 137, a. 19.

20. L'Université a, en plus des pouvoirs, droits et priviléges mentionnés à l'article 26 de la loi intitulée *The Interpretation Act*, le pouvoir d'acheter ou d'autrement acquérir, de prendre ou de recevoir par dons, legs ou dispositions testamentaires, de détenir sans permis de mainmorte et sans limitation quant à la période de détention, tous biens meubles ou immeubles, tous droits sur ceux-ci, et d'en jouir et de vendre, concéder, céder, hypothéquer, louer ou aliéner de quelque autre manière, en totalité ou en partie, tel que cela pourra être requis par les circonstances; et d'acquérir d'autres biens ou propriétés, en sus ou en échange. 1965, c. 137, a. 20.

21. Les biens appartenant à l'Université ainsi que les terrains et locaux loués à l'Université et occupés par elle,

ne seront pas assujettis aux impôts pour fins provinciales, municipales ou scolaires; et ils sont exempts de toute taxe de tout genre aussi longtemps qu'ils seront utilisés et occupés aux fins de l'Université. 1965, c. 137, a. 21.

Biens de l'Université non sujets à l'expropriation

22. Les biens immeubles de l'Université ne sont pas susceptibles d'être occupés, utilisés ou pris par une corporation, à l'exception d'une corporation municipale, ou par une personne ayant le droit d'entrer, par force, en possession de biens immeubles pour n'importe quelle fin; aucun pouvoir d'exproprier des biens immeubles, concédé dorénavant, ne s'étendra à ces biens à moins que, dans la loi conférant ce pouvoir, celui-ci n'y soit déclaré expressément applicable. 1965, c. 137, a. 22.

Application des lois relatives à la prescription

23. Tout bien appartenant à l'Université, pour ce qui est de l'application de toute loi relative à la prescription sera censé avoir été et être un bien immeuble dévolu à la Couronne pour les utilisations publiques de l'Ontario. 1965, c. 137, a. 23.

Emploi des biens, loyers, revenus, etc.

24. Les biens et les loyers, revenus, produits et profits provenant de tous biens possédés par l'Université devront être affectés exclusivement aux objectifs et fins de l'Université. 1965, c. 137, a. 24.

Placement des fonds

25. Les fonds de l'Université qui ne sont pas immédiatement requis pour les fins de celle-ci ainsi que les revenus de tout bien en la possession du Bureau, pourront être investis ou réinvestis dans tels placements que le Bureau estimera convenables, compte tenu des fiducies qui pourront concerner ces biens. 1965, c. 137, a. 25.

Vérification

26. La comptabilité du Bureau sera vérifiée au moins une fois l'an. 1965, c. 137, a. 26.

Rapport annuel

27. A la requête du Lieutenant-gouverneur en conseil, le Bureau devra lui remettre son rapport annuel ainsi que tous autres rapports qu'il pourra demander de temps en temps. 1965, c. 137, a. 27.

TROISIEME PARTIE

L'Université Saint-Paul est fédérée

28. L'Université Saint-Paul, dès la mise en vigueur de la présente loi, sera fédérée avec l'Université selon les conditions et dispositions dont les deux corporations auront convenu. 1965, c. 137, a. 28.

St. Patrick's College

29.—(1) Le St. Patrick's College, dès la mise en vigueur de la présente loi, a le choix,

(a) de devenir fédéré avec l'Université ou affilié à celle-ci, selon les conditions dont les deux institutions auront convenu; ou

(b) de devenir une partie intégrante de l'Université sous le nom de St. Patrick's College of the University of Ottawa, selon les conditions et dispositions dont l'Université d'Ottawa et les administrateurs du St. Patrick's College tel qu'il existe présentement auront mutuellement convenu; lesdites conditions et dispositions seront incorporées dans les règlements de l'Université d'Ottawa dans le dessein précis d'assurer la sauvegarde et le développement sur le campus actuel du St. Patrick's College, des sections déjà existantes de la Faculté des Arts et de l'Ecole de Service social.

(2) Rien dans l'alinéa *b* du paragraphe 1 ne devra être interprété de façon à donner à entendre que l'Université d'Ottawa ne pourra entreprendre de nouvelles activités d'ordre académique sur le campus du St. Patrick's College of the University of Ottawa; cependant lesdites activités nouvelles ne devront pas porter atteinte aux conditions et dispositions susmentionnées à l'alinéa *b* du paragraphe 1 telles qu'incorporées dans les règlements de l'Université d'Ottawa. 1965, c. 137, a. 29.

30. Tout autre collège ou autre institution affilié à l'Université Saint-Paul au moment où la présente loi entre en vigueur a le droit, en vertu de la présente loi, de conserver son affiliation à l'Université d'Ottawa par l'entremise de l'Université Saint-Paul ou de négocier des ententes distinctes de fédération avec l'Université d'Ottawa ou d'affiliation à celle-ci, ou, s'il le juge préférable, d'exercer ces deux droits à la fois. 1965, c. 137, a. 30.

31. L'Université d'Ottawa s'engage à accorder à tous les étudiants, anciens ou actuels, de l'Université Saint-Paul la pleine reconnaissance, en vue de l'obtention de leurs grades universitaires respectifs, de tous crédits et notes que l'Université Saint-Paul leur aura octroyés jusqu'au moment de l'entrée en vigueur de la présente loi; et, en outre, elle accordera, en son nom propre, des grades à tous les étudiants que l'Université Saint-Paul aura recommandés à cette fin au cours de la collation des grades de l'automne de l'année 1965. 1965, c. 137, a. 31.

32. L'Université d'Ottawa et l'Université Saint-Paul, en vue de la réalisation des objectifs et fins de la présente loi, pourront valablement réaliser entre elles tous transferts de propriété selon les termes, pour telles considérations, y compris les considérations purement nominales, moyennant les conditions et garanties de paiement dont il sera convenu entre elles. 1965, c. 137, a. 32.

Le Sénat de
l'Université
Saint-Paul
agit provi-
soirement
au nom de
l'Université

33. Tant que l'Université d'Ottawa n'aura pas organisé son propre Sénat, le Sénat de l'Université Saint-Paul est par les présentes autorisé à exercer, au nom et pour le compte du Sénat de l'Université d'Ottawa, les devoirs, les fonctions et les pouvoirs de celui-ci, tels que décrits par l'article 17 de la présente loi; mais ladite autorisation ne devra en aucun cas prolonger ses effets au-delà du 31e jour du mois d'octobre de l'année 1965. 1965, c. 137, a. 33.

QUATRIÈME PARTIE

Entrée en
vigueur

34. La présente loi entrera en vigueur le premier jour de juillet de l'année 1965.

Titre abrégé

35. La présente loi pourra être citée sous le titre de *Loi de l'Université d'Ottawa, 1965.*

QUEEN'S UNIVERSITY AT KINGSTON

No single statute encompasses the various legal provisions constituting and governing Queen's University at Kingston. Since the Royal Charter was issued on October 16, 1841, a number of amending Acts have been passed, including several by the Parliament of Canada as well as by the Legislature of Ontario.

In October, 1963, W. R. Lederman, Q.C., Dean of the Faculty of Law, Queen's University at Kingston, prepared a consolidation of the laws governing the University. That document, the text of which is set out in the following pages, is regarded by Queen's officials as the most authoritative version of the Queen's University "charter" now available.

Queen's University at Kingston

A CONSOLIDATION of the laws constituting and governing the University, under appropriate headings, as follows:

- I. The Corporate Body, including Powers and Membership of the Corporation
- II. The Board of Trustees
 - (a) Composition
 - (b) Powers and Procedure
- III. The Senate
(Composition and Powers)
- IV. The University Council
(Composition, Powers and Procedure)
- V. Officers named in the Royal Charter, or Statutes of Ontario or Canada
- VI. Teaching Staff
- VII. Students

I. The Corporate Body, including Powers and Membership of the Corporation.

Royal Charter of Queen Victoria, October 16, 1841.

The persons originally incorporated were the ministers and lay members of the Presbyterian Church of Canada in connection with the Church of Scotland. It was further stipulated that the corporate name was to be 'Queen's College at Kingston', then the Royal Charter proceeded as follows:

"II. . . We do for the purposes aforesaid and herein-after mentioned, really and fully for Us our Heirs and Successors, make, erect, create, ordain, constitute, establish, confirm and declare by these presents, . . . [such persons] . . . to be one Body Politic and Corporate in Deed and in name:”

"III. And that they and their successors by that name shall and may have perpetual succession as a College—with the style and privileges of an University, for the education and instruction of Youth and Students in Arts and faculties; and shall also have, and may use a Common Seal, with power to break, change, alter or make new the same Seal, as often as they shall judge expedient. And that they and their Successors, by the name aforesaid, shall and may forever hereafter be able, in Law and in Equity, to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all Courts and places whatsoever: and also to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain in Law, to and for the use of the said College, any Messuages, Lands, Tenements and Hereditaments, of what kind, nature of quality soever, . . . and also that they and their Successors shall have power to take, purchase, acquire, have, hold, enjoy, receive, possess and retain all of any Goods, Chattels, Monies, Stocks, Charitable or other Contributions, Gifts, Benefactions or Bequests whatsoever: and to give, grant, bargain, sell, demise, or otherwise dispose of, all or any part of the same, or of any other property, real, personal, or other they may at any time or times possess or be entitled to, as to them shall seem best for the interest of the said College."

"XXXII. *And We Will* and by these presents for Us our Heirs and Successors do Grant and declare that these our Letters Patent, or the enrolment or exemplification thereof shall and may be good, firm and valid, sufficient and effectual in the Law, according to the true intent and

meaning of the same and shall be taken, construed and adjudged in the most favorable and beneficial sense for the best advantage of our said College, as well in our Courts of Record as elsewhere; and by all and singular Judges, Justices, Officers, Ministers and others, subject whatsoever of Us our Heirs and Successors, any unrecital, non-recital, omission, imperfection, defect, matter, cause, or anything whatsoever, to the contrary thereof in any wise notwithstanding.

IN WITNESS Whereof, We have caused these our Letters to be made patent. Witness Ourselves, at Our Palace at Westminster, this Sixteenth day of October, in the Fifth year of our Reign.

By Writ of Privy Seal.—EDMUND.

Chapter 76, Statutes of Ontario, 1874.

“6. The power hitherto vested in the corporation of Queen’s College, to take, purchase, acquire, have, hold, enjoy, receive, possess, and maintain in law, to and for the use of the said College, any messuages, lands, tenements and hereditaments, goods, chattels, moneys, stocks, charitable or other contributions, gifts, benefactions or bequests whatsoever, shall not be limited, from and after the date hereof, by any statute or statutes of mortmain.”

Chapter 103, Statutes of Canada, 1889.

“7. The said Corporation may acquire, take, receive and hold real or personal estate in any part of Canada, by purchase, gift, devise or otherwise; subject, however, to the laws of any Province in which any real estate so acquired is situated, as to such acquisition and tenure by corporations.

8. The said Corporation may, from time to time, on any terms it thinks fit, sell, alienate, exchange, demise, let or lease all or any such messuages, lands, tenements, hereditaments and immovable or leasehold property of or to which it is now or may hereafter be or become seized and possessed or entitled.

9. The said Corporation may, for the purpose of investment, lend money upon the security of real estate, purchase bonds or debentures of municipal or school or railway corporations, or Dominion or Provincial stock or securities, and may sell or dispose of any such securities as to it seems advisable.”

[NOTE: Section 7 seems to nullify the requirement in paragraph III of the Royal Charter that the value of real property held by the College was not to exceed that which would yield an annual net return of £15,000 sterling.]

Chapter 138, Statutes of Canada, 1912.

- “1. The Name of Queen’s College at Kingston, herein-after called “the University”, is changed to “Queen’s University at Kingston”, but such change of name shall not in any way impair, alter or affect the rights, powers, privileges or liabilities of the University, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the University, which, notwithstanding such change of name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.
2. The management and discipline of the University shall be in every respect freed from all denominational restrictions.
3. The University shall have and possess all the powers, rights and privileges heretofore possessed by Queen’s College at Kingston, subject to the provisions of this Act.
4. All colleges and schools which are now in affiliation with the University shall be continued in their present relations therewith, subject to the provisions of this Act.
5. All statutes, by-laws, rules and regulations of the University are continued, subject to the provisions of this Act.
6. The chancellor, the principal, the trustees, the professors and all others holding appointments in the University other than the professors in Theology are hereby continued in their respective offices, subject to the provisions of this Act.”
- “8. The corporators of the University shall be the members of the board of trustees, the professors, the graduates and the benefactors of the University.
2. A benefactor is any person who shall have given at least one hundred dollars to the University, or to The School of Mining and Agriculture.”

[Section 8, as amended by Chapter 62, Statutes of Canada, 1916.]

“9. The administration of the University shall be carried on as heretofore by means of (a) a Board of Trustees, (b) a University Council, and (c) a Senate.”

“18. The University may admit to affiliation any college instituted for the promotion of the study of theology, literature, medicine, science or arts.

19. The University shall continue distinctively Christian and the trustees of the University shall satisfy themselves of the Christian character of those appointed to the teaching staff. Laymen shall be eligible to any position in the University.”

“24. The University may invest its funds in any securities in which life assurance companies are authorized by Parliament to invest.

25. So much of the said Royal Charter granted by Her late Majesty Queen Victoria as aforesaid and of amending Acts as is contradictory to or inconsistent with this Act, or as makes any provision in any matter provided for by this Act other than such as is hereby made in such matter, is hereby repealed and annulled, anything in the said charter and amending Acts to the contrary notwithstanding.”

Chapter 62, Statutes of Canada, 1916.

[An Act respecting the amalgamation of The *School* of Mining and Agriculture with Queen’s *University* at Kingston.]

“5. From and after the date at which this Act comes into force the University shall have, possess and enjoy exclusively in addition to its existing powers, rights and privileges all the powers, rights and privileges now held and enjoyed by the School.”

[Section 4 of Chapter 110, Statutes of Ontario, 1916, is in identical terms.]

Chapter 44, Statutes of Ontario, 1901.

[Respecting powers of The School of Mining and Agriculture.]

“12. The said corporation shall have the power to borrow money by way of loan or otherwise for the purpose of carrying on its work and may hypothecate, mortgage or pledge all or any of the real or personal property of the

corporation to secure any such loans or any indebtedness or money so borrowed for the purposes of the corporation."

II. The Board of Trustees

(a) Composition

The original Board of Trustees was constituted by paragraph VI and subsequent paragraphs of the Royal Charter of 1841. Between 1841 and 1912, there were several changes made by statutes in the composition of the Board that need not now be set out, as they have been superseded. The present composition of the Board was established by a statute of Canada in 1912, with certain amendments in 1914 and 1916.

Chapter 138, Statutes of Canada, 1912.

[As amended by Chapter 141, Statutes of Canada, 1914, and Chapter 62, Statutes of Canada, 1916.]

"10. The Board of Trustees of the University shall consist of the chancellor, the rector and the principal, who shall be *ex officio* members, a member appointed annually by the governing board of each affiliated college, six members elected by the University Council, six members elected by the graduates, four members elected by the benefactors, twelve members elected by the Board of Trustees, six members appointed in the first instance by the governors of The School of Mining and Agriculture and afterwards elected as hereinafter provided, and four members appointed by the Lieutenant Governor in Council, of the province of Ontario.

11. The mode of election and tenure of office of members of the Board of Trustees, other than *ex officio* members, shall be as follows:—

- (b) The member appointed annually by the governing board of each affiliated college shall hold office for one year;
- (c) The members elected by the University Council shall be elected from among their own number in accordance with by-laws passed by the said Council;
- (d) The members elected by the graduates and by the benefactors shall be elected in accordance with by-laws passed by the University Council;

- (e) The twelve members elected by the Board of Trustees shall be elected in the first instance by the present Board of Trustees, and may be chosen from among the members of the present Board, and three of them shall retire annually in alphabetical order, and the places of those so retiring shall be filled by the election, by the Board of Trustees of the University, of members who shall hold office for the term of four years;
- (f) That of the six trustees appointed by the governors of The School of Mining and Agriculture two shall retire at the end of six years, two at the end of seven years, and two at the end of eight years, and that the vacancies thus occurring shall be filled each year by the election of one additional trustee by the Board of Trustees and one additional trustee by the benefactors and that the trustees so elected to fill the said vacancies shall each hold office for the term of three years;
- (g) In case a vacancy occurs in the Board of Trustees by death, resignation or any cause other than effluxion of time the vacancy shall thereupon be filled for the balance of the term by the appointing or electing person or body, and in case the vacancy so occurs among the six trustees mentioned in paragraph (f) during the period of their first appointment it shall be filled by the election of a new trustee by the surviving or remaining members of the trustees so first appointed."

[NOTE: Section 10 of the Act of 1912, as amended in 1916, provides for four trustees to be appointed by the Lieutenant Governor in Council of the Province of Ontario. This implements paragraph 11 of the 'Memorandum of Agreement' between Queen's University and The School of Mining and Agriculture, the agreement being confirmed as the schedule to Chapter 62, Statutes of Canada, 1916 and Chapter 110, Statutes of Ontario, 1916. Paragraph 11 is as follows:]

"11. Subject to the approval of the Lieutenant Governor in Council of the Province of Ontario, the four Governors of the School now appointed by the said Lieutenant Governor in Council under the authority of Chapter 162 of the statutes of Ontario of 1909 shall be continued as Trustees of the University in addition to the Trustees already referred to, and one of the Trustees so appointed

shall retire annually in such order as may be prescribed by the Board and the Trustee so retiring shall be eligible for re-appointment by the said Lieutenant Governor in Council."

Chapter 103, Statutes of Canada, 1889.

"3. It shall not be necessary that any trustee elected by the University Council be a member of the Presbyterian Church in Canada, or that any trustee of the said College hereafter elected make or subscribe any religious declaration or formula whatever before entering on his duty as such trustee."

Chapter 138, Statutes of Canada, 1912.

"12. No professor or regular member of the staff in the University or in any affiliated college, other than a principal, shall be eligible as a member of the Board of Trustees."

(b) Powers and Procedure

The Royal Charter of 1841.

"XII. *And We further Will* that the said Trustees and their Successors shall forever have full power and authority to elect and appoint for the said College a Principal, . . . and such Professor or Professors, Master or Masters, Tutor or Tutors, and such other Officer or Officers as to the said Trustees shall seem meet; . . .

XV. *And We further Will*, that if any complaint respecting the conduct of the Principal, or any Professor, Master, Tutor, or other Officer of the said College, be at any time made to the Board of Trustees, they may institute an enquiry, and in the event of any impropriety of conduct being duly proved, they shall admonish, reprove, suspend, or remove the person offending, as to them may seem good—

XVI. Provided always, that the grounds of such admonition, reproof, suspension or removal be recorded at length in the Books of the said Board.

XVII. *And We further Will* that the said Trustees and their Successors shall have full power and authority to erect an Edifice or Edifices for the use of the said College."

[Note: Paragraph XVIII provided that such edifice or edifices should be not more than three miles distant from St. Andrew's

Church, Kingston. This limitation is probably nullified by the powers later given in Sections 7 and 8 of Chapter 103, Statutes of Canada, 1889, quoted under I above.]

“XIX. And We further Will that the said Trustees and their Successors shall have power and authority to frame and make Statutes, Rules and Ordinances touching and concerning the good government of the said College, the performance of Divine Service therein, the Studies, Lectures, Exercises, and all matters regarding the same; the number, residence and duties of the Professors thereof, the management of the revenues and property of the said College, the Salaries, Stipends, provision and emoluments of, and for the Professors, Officers and Servants thereof, the number and duties of such Officers and Servants, and also touching and concerning any other matter or thing which to them shall seem necessary for the well being and advancement of the said College, and also from time to time by any new Statutes, rules or ordinances to revoke, renew, augment or alter, all, every, or any of the said Statutes, rules and ordinances as to them shall seem meet and expedient:

XX. Provided always that the said Statutes, rules and ordinances, or any of them, shall not be repugnant to these presents or to the Laws and Statutes of the said Province.”

“XXVI. And We further Will, that the said Trustees shall have full power and authority, from time to time, to choose a Secretary and Treasurer; and also once in each year or oftener, a Chairman who shall preside at all Meetings of the Board.”

“XXIX. And the said Trustees shall also afterwards have power to meet at Kingston aforesaid, or at such other place as they shall fix for that purpose upon their own adjournment, and likewise so often as they shall be summoned by the Chairman or in his absence by the Senior Trustee, whose Seniority shall be determined in the first instance by the order in which the said Trustees are named in these presents, and afterwards by the order in which they shall be subsequently arranged pursuant to the powers hereinbefore contained.”

Chapter 123, Statutes of Canada, 1882.

“3. When at any time after this Act shall come into force, the Chairman of the Board of Trustees, or in his absence the senior trustee shall receive a notice in writing

from three members of the Board, requesting him to summon a meeting of the trustees, such meeting shall be legally convened by the chairman or such senior trustee causing the Secretary of the Board to notify every member of the Board of the time, place and purpose of such meeting, and by the Secretary mailing notices of such meeting at least fifteen days before it shall take place.

4. The Board of Trustees may appoint a Vice-Principal of the said College, and such Vice-Principal shall, in the absence of the Principal, take the place and discharge the duties of the Principal."

[Note: Sections 3 and 4 of Chapter 76, Statutes of Ontario, 1874, are in identical terms.]

Chapter 138, Statutes of Canada, 1912.

"13. The Chairman of any meeting of the Board of Trustees shall have a deliberative vote and also a casting vote in case of equality of votes.

14. Seven members of the Board of Trustees shall be a quorum for all purposes except for the appointment or removal of the principal or of a professor, for which purpose a quorum of thirteen shall be necessary; provided that for the removal of a principal or of a professor a two-thirds affirmative vote of those present shall be required."

Chapter 85, Statutes of Canada, 1961.

"1. Section 11 of chapter 123 of the statutes of 1882 is repealed and the following substituted therefor:—

'11. There shall be a Vice-Chancellor of the University, appointed by the Board of Trustees, who may or may not be the Principal. In the absence of the Chancellor, the Vice-Chancellor shall take his place and discharge his duties.'

III. The Senate (Composition and Powers)

The Royal Charter of 1841.

"XXII. *And We further Will*, that so soon as there shall be a Principal and one Professor in the said College, the Board of Trustees shall have authority to constitute under their Seal the said Principal and Professor, together with three members of the Board of Trustees, a Court to

be called "The College Senate", for the exercise of Academical superintendence and discipline over the Students, and all other persons resident within the same, and with such powers for maintaining order and enforcing obedience to the Statutes, Rules and Ordinances of the said College, as to the said Board may seem meet and necessary:—

XXIII. Provided always, that so soon as three additional Professors shall be employed in the said College, no Trustee shall be a Member of the said College Senate, but that such Principal and all the Professors of the said College shall for ever constitute the College Senate, with the powers just mentioned.

XXIV. *And We further Will*, that whenever there shall be a Principal and four Professors employed in the said College, the College Senate shall have power and authority to confer the degrees of Bachelor, Master, and Doctor, in the several Arts and Faculties."

Chapter 123, Statutes of Canada, 1882.

"7. The College Senate shall have power to pass by-laws touching any matter or thing pertaining to the conditions on which degrees in the several Arts and Faculties may be conferred, whether the said degree be such as are gained in course, or such as are honorary, or whether they be conferred on matriculants of Queen's College or other persons; but any such by-law shall be reported to the first meeting of the Board of Trustees after being passed, and shall cease to be in force if disapproved of by the Board."

[Section 7 of Chapter 76, Statutes of Ontario, 1874, is in identical terms. Accordingly, the degree granting powers of Queen's University originate with the Royal Charter of Queen Victoria and have been confirmed by statutes of the Parliament of Canada and the Legislative Assembly of Ontario.]

Chapter 138, Statutes of Canada, 1912.

"16. The Senate as at present constituted is hereby continued subject to the provisions of this Act, and the Board of Trustees, acting after consultation with the Senate, may pass any enactments in regard to the Senate which the Board thinks proper."

“20. The University may confer degrees in Divinity at the instance of its Senate or of any affiliated theological college.”

“23. Unless and until the constitution of the Senate of the University is changed so as to reduce the representation, on the said Senate, of professors of Queen’s Theological College, all the professors of the said College shall be members of the said Senate: Provided that no such change shall reduce such representation to less than three.”

[NOTE: In April, 1913, the Board of Trustees approved a new composition for the Senate and a revised statement of functions of the Senate as recommended in the Principal’s Report for 1912-13. The Board has power to make such changes by virtue of Section 16 of Chapter 138, Statutes of Canada, 1912, just quoted.]

There were also certain changes in the composition of the Senate authorized by the Trustees in later years, so that the present position is the following (as published in the current University calendars):

“The Senate consists of: the Principal; the Vice Principal; the Principal of Queen’s Theological College; the Dean of the Faculty of Arts and Science; the Dean of the Faculty of Medicine; the Dean of the Faculty of Applied Science; the Dean of the Faculty of Law; the Dean of the School of Graduate Studies; the Dean of the School of Business; three Professors elected by the Faculty of Arts and Science; three Professors elected by the Faculty of Applied Science; three Professors elected by the Faculty of Medicine; three Professors elected by the Faculty of Law; one Professor elected by the Faculty of Queen’s Theological College.

The functions of the Senate are:

- (1) to determine all matters of an academic character which concern the University as a whole;
- (2) to consider and determine all Courses of study leading to a degree, including conditions of Matriculation, on recommendation of the respective Faculty Boards; but the Senate shall not embody any changes without having presented them previously to the Faculty;
- (3) to recommend to the Board of Trustees the establish-

ment of any additional faculty, department, chair, or course of instruction in the University;

(4) to be the medium of communication between the Alma Mater Society and the Governing Boards;

(5) to determine all regulations regarding the social functions of the students within the University, and regarding the University Library and University Reading Rooms;

(6) to publish the University Calendars;

(7) to conduct examinations;

(8) to grant degrees;

(9) to award University Scholarships, Medals and Prizes;

(10) to enforce the Statutes, Rules and Ordinances of the University;

(11) and generally to make such recommendations to the Governing Boards as may be deemed expedient for promoting the interests of the University."

IV. The University Council (Composition, Powers and Procedure)

Chapter 76, Statutes of Ontario, 1874.

"9. There shall be in connection with the said Queen's College a Council, which shall be called the University Council of Queen's College; and the said Council shall, as to membership, consist of all the Trustees of the said College, for the time being, and their successors, and of all the members of the College Senate, for the time being, and their successors, and of as many graduates or alumni as shall be equal in number to the aforesaid members taken together; and the members of the Council, other than the Trustees and members of the College Senate, shall be appointed, in the first instance, by the Trustees and members of the College Senate, at a meeting thereof to be convened by the Chairman of the Board of Trustees causing a written or printed notice to be mailed to each of them at least fifteen days before the meeting, and within one year after this Act shall come into force; but the successors of the graduates and alumni so appointed

shall be elective members of the Council and shall be elected in the manner following, that is to say: within one year after the holding of the aforesaid meeting and appointing of the aforesaid members, the Chairman of the Board of Trustees shall convene a meeting of the Council constituted in the manner aforesaid, by causing a written or printed notice to be mailed to each member at least fifteen days before the meeting, and at the said meeting, or any meeting adjourned therefrom or held subsequent thereto, the members present, provided their number be not less than fifteen, shall have power and authority to frame and pass By-laws for the following purposes, that is to say:

- (1) For the obtaining of a registration of such graduates and alumni of Queen's College as may desire to vote for elective members of the Council and for a Chancellor of the University of Queen's College, as hereinafter provided, and to be considered eligible for election to membership in the Council; and such registration shall be a condition of any graduate or alumnus voting or being elected; Provided always, that the Council shall not admit to such registration any alumnus actually attending classes in Queen's College, or any alumnus who may have left Queen's College without being a matriculant of two years' standing, or any graduate who has not matriculated at least once as an alumnus or student of Queen's College, or any alumnus who shall matriculate after the year 1879, until such alumnus shall become a graduate of said College;
- (2) For the retiring annually of a certain number, not being less than five nor more than eight of the elective members, and for the election of their successors by graduates and alumni duly registered as hereinbefore provided, and also for the election of persons to fill vacancies that may occur from time to time by death, resignation, or otherwise;
- (3) For the appointment and removal of a Secretary and such other officers as the Council may deem necessary or expedient;
- (4) For the election of a Chancellor, who shall be chosen without reference to his ecclesiastical connection except that he must be a Protestant, who shall be designated the Chancellor of Queen's University, who shall be the highest officer of the University and College, who as such

highest officer shall preside at all meetings of Convocation, of the University Council, and of all statutory meetings of the College Senate at which he may be present, who shall have both a deliberative and a casting vote on all motions submitted to any such meetings, and who shall hold office for three years from the date of his election, and longer if need be, until his successor be chosen; Provided always, that if two or more candidates for the office of Chancellor be at any time nominated at the meeting of the Council called for the nomination of a Chancellor, the election of one of the candidates shall be referred to the graduates and alumni registered as aforesaid, and shall be decided by a majority of their votes taken according to such By-laws as may be framed and passed by the Council.

10. The University Council, constituted in the manner hereinbefore provided, shall have and may exercise the powers following, that is to say: (1) The power of discussing any matter whatsoever relating to the said College and of declaring the opinion of the Council on any such matter; (2) The power of taking into consideration all questions affecting the well-being and prosperity of the said College, and of making representations from time to time on such questions to the Board of Trustees and the College Senate, or either of the said bodies, who shall consider the same and return to the Council their conclusions thereon; (3) The power of deciding upon such terms as the Board of Trustees shall propose in writing as to the affiliation of any College or School with the University of Queen's College aforesaid; (4) The power of determining all matters pertaining to the calling of meetings of the Council and of Convocation, whether the same be annual, adjourned, or special meetings, of fixing the number of members that shall be a quorum for the despatch of business at all such meetings, or any or either of them and of deciding upon and regulating the mode of conducting its own proceedings and the proceedings of Convocation; (5) The power of framing a declaration of fidelity to his office on the part of the Chancellor, and of determining what shall be the form of his assent thereto, and also of appointing the ceremonies to be observed at his installation and the manner of their observance; (6) The power of requiring fees to be paid by members of the Council as a condition of membership, and by graduates and alumni as a condition of registration or voting as hereinbefore provided; and (7) The power of framing and passing By-laws touching and concerning all matters whatsoever appertaining to the powers and functions of

the Council and the lawful exercise thereof, and also from time to time by new By-laws to revoke, renew, augment or alter any of the said By-laws, as to the Council may seem meet and expedient; Provided always that any such By-laws shall not be repugnant to the provisions of the Letters Patent aforesaid, or of this Act, or the Laws of the Province of Ontario, or of the Dominion of Canada; Provided always, that except as in this Act expressly provided the Council shall not be entitled to interfere in or have any control over the affairs of the University or College."

(8) The Trustees, Lecturers, Tutors, Fellows, Graduates, and Alumni or students being undergraduates of the said College, shall have power and authority to meet in Convocation for the public conferring of degrees and other honours and distinctions awarded or granted by the College Senate, for the installation of the Chancellor, hereinafter mentioned, Principal, or any Professor duly elected or appointed according to the provisions of the aforesaid Letters Patent, and for such other purposes as the University Council, constituted as hereinafter provided, shall from time to time determine."

[NOTE: Section 8 of Chapter 123, Statutes of Canada, 1882, is in identical terms.]

Chapter 123, Statutes of Canada, 1882.

"9. The University Council of Queen's College, constituted under and by virtue of the said Act of the Legislature of the Province of Ontario, entitled "*An Act respecting Queen's College at Kingston*," is hereby declared to be duly constituted according to the terms and provisions of and with the powers conferred by the said Act; and all acts and proceedings of the said Council, taken under and by virtue of the said Act, are hereby confirmed and declared to be valid; and the said Council may be continued in the manner, and may exercise all the powers and functions mentioned and set forth in the said Act of the Province of Ontario."

Chapter 138, Statutes of Canada, 1912.

"7.(1) In addition to the chancellor elected by the Council and the principal appointed by the trustees there shall be a rector elected by the registered matriculated students of the University.

2. The manner of election of the rector shall be prescribed by by-laws of the University Council, and he shall hold office for three years, or until his successor is elected."

"17. The University Council is hereby continued and, subject to the provisions of this Act, shall have and exercise its present powers and functions, and may, in addition frame regulations or by-laws to govern the conduct of its annual elections and to fix the term for which its members shall hold office and the number that shall retire annually."

[NOTE: The requirement that the chancellor must be a Protestant in Section 9(4) of the Ontario Statute of 1874 seems to have been repealed by the provision in Section 2 of the Canadian Statute of 1912 that "The management and discipline of the University shall be in every respect freed from all denominational restrictions." Also to the same effect is the provision in Section 19 of the Canadian Statute of 1912 that "Laymen shall be eligible to any position in the University." Presumably this means *any* layman.]

V. Officers names in the Royal Charter, or Statutes of Ontario or Canada

(a) The Chancellor.

Chapter 76, Statutes of Ontario, 1874, Section 9.
(See Part IV, The University Council.)

(b) The Vice Chancellor.

Chapter 85, Statutes of Canada, 1961, Section 1.
(See Part II, The Board of Trustees.)

(c) The Principal.

Royal Charter of 1841, Paragraph XII.
(See Part II, The Board of Trustees.)

(d) The Vice Principal.

Chapter 123, Statutes of Canada, 1882, Section 4.
(See Part II, The Board of Trustees.)

(e) The Chairman of the Board of Trustees.

Royal Charter of 1841, Paragraph XXVI.
Chapter 138, Statutes of Canada, 1912, Section 13.
(See Part II, The Board of Trustees.)

(f) The Rector.

Chapter 138, Statutes of Canada, 1912, Section 7.
(See Part IV, The University Council.)

(g) The Secretary.
 Royal Charter of 1841, Paragraph XXVI.
 (See Part II, The Board of Trustees.)

(h) The Treasurer.
 Royal Charter of 1841, Paragraph XXVI.
 (See Part II, The Board of Trustees.)

VI. Teaching Staff

The power to appoint, to prescribe duties, salaries and other conditions of service, and to remove members of the teaching staff, is in the Board of Trustees. See Part II, The Board of Trustees, and in particular:

Royal Charter of 1841, Paragraphs XII, XV, XVI, XIX.

Chapter 138, Statutes of Canada, 1912.

2. "The management and discipline of the University shall be in every respect freed from all denominational restrictions."

12. [No member of the teaching staff eligible for the Board of Trustees.]

14. [Special quorum and majority for the removal of a professor by the Board of Trustees.]

19. "The University shall continue distinctively Christian and the trustees of the University shall satisfy themselves of the Christian character of those appointed to the teaching staff. Laymen shall be eligible to any position in the University."

VII. Students

Royal Charter of 1841.

"IV. *And We do further Will*, Ordain, and Grant that the said College shall be deemed and taken to be an University; and that the Students in the said College shall have liberty and faculty of taking the degrees of Bachelor, Master and Doctor in the several Arts and faculties at the appointed times; and shall have liberty within themselves of performing all Scholastic Exercises for conferring such Degrees, in such manner as shall be directed by the Statutes, Rules and Ordinances of the said College.

V. *And We do further Will*, Ordain and Appoint that no religious test or qualification shall be required of, or appointed for any persons admitted or matriculated as Scholars within our said College; or of or for persons admitted to any Degree in any Art or Faculty therein, save only that all persons admitted within Our said College to any Degree of Divinity, shall make such and the same Declarations and Subscriptions as are required of persons admitted to any Degree of Divinity in Our University of Edinburgh."

Chapter 76, Statutes of Ontario, 1874.

"8. The trustees, lecturers, tutors, fellows, graduates and alumni or students, being undergraduates of the said College, shall have power and authority to meet in convocation for the public conferring of degrees and other honours and distinctions awarded or granted by the College Senate, for the installation of the Chancellor, hereinafter mentioned, the Principal, or any Professor duly elected or appointed according to the provisions of the aforesaid letters patent, and for such other purposes as the University Council, constituted as hereinafter provided, shall, from time to time determine."

[NOTE: Section 8 of Chapter 123, Statutes of Canada, 1882, is in identical terms.]

List of the Statutes Examined for this Consolidation

In addition to

**Royal Charter of Queen's College at Kingston,
October 16, 1841.**

Chapter 35, Statutes of Upper Canada, 1840, p. 84-90.

'An Act to establish a college by the name and style of the University at Kingston.'

Chapter 89, Provincial Statutes of Canada, 1846, p. 1125-26.

'An Act to transfer to Queen's College at Kingston certain estates, rights and liabilities of the University at Kingston.'

Chapter 76, Statutes of Ontario 1874.

'An Act respecting Queen's College at Kingston.'

Chapter 123, Statutes of Canada, 1882.

'An Act respecting Queen's College at Kingston.'

Chapter 103, Statutes of Canada, 1889.

'An Act to Amend the Act respecting Queen's College at Kingston.'

Chapter 44, Statutes of Ontario, 1901.

Chapter 152, Statutes of Canada, 1906.

'An Act respecting Queen's College at Kingston.'

Chapter 138, Statutes of Canada, 1912, p. 249-253.

'An Act respecting Queen's College at Kingston, and to change its name to "Queen's University at Kingston".'

Chapter 139, Statutes of Canada, 1912, p. 255-257.

'An Act to incorporate Queen's Theological College.'

Chapter 141, Statutes of Canada, 1914, p. 299.

'An Act respecting Queen's University at Kingston.'

Chapter 62, Statutes of Canada, 1916, p. 173-177.

'An Act respecting Queen's University at Kingston, and to amalgamate therewith The School of Mining and Agriculture.'

Chapter 110, Statutes of Ontario, 1916, p. 522-525.

'An Act respecting the amalgamation of the School of Mining and Agriculture with Queens' University at Kingston.'

Chapter 85, Statutes of Canada, 1960-61, p. 73.

'An Act respecting Queen's University at Kingston.'

THE UNIVERSITY OF TORONTO ACT, 1947.

The University of Toronto Act, 1947

Statutes of Ontario, 1947

CHAPTER 112

as amended by

1953, Chapter 107; 1955, Chapter 90;
1958, Chapter 119; and 1959, Chapter 103;
1964, Chapter 120, Section 30, and 1965, Chapter 138.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

INTERPRETATION AND GENERAL PROVISIONS

1. In this Act,

Interpre-
tation

- (a) "affiliated college" means a college that is affiliated with the University;
- (b) "appointed members" means the members of the Board appointed by the Lieutenant-Governor in Council;
- (c) "Board" means The Governors of the University of Toronto;
- (d) "Chancellor" means Chancellor of the University;
- (e) "college" includes a school or other institution of learning;
- (f) "Committee of Election" means Committee of Election established under this Act;
- (g) "Comptroller" means Comptroller of the University;
- (h) "council" includes The Council of the Faculty of Arts, The Council of University College and the council of every faculty and school;
- (i) "federated college" means a college that is federated with the University;
- (j) "federated university" means a university that is federated with the University;

- (k) "head", when it refers to the head of a federated university or of a federated college, means the person who is or is certified by the governing body of such university or college to be the head thereof;
- (l) "Librarian" means Librarian of the University;
- (m) "President" means President of the University;
- (n) "property" includes real property and all other property of every nature and kind;
- (o) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (p) "Registrar" means Registrar of the University;
- (q) "Secretary of the Board" means Secretary and Acting Secretary of the Board and includes the office of Bursar of the University;
- (r) "Senate" means Senate of the University;
- (s) "Superintendent" means Superintendent of Buildings and Grounds of the University;
- (t) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction;
- (u) "Trinity College" means Trinity College as established and incorporated by the Act passed in the 14th and 15th years of the reign of Her late Majesty Queen Victoria, chaptered 32, and as constituted a university by Royal Charter bearing date the 16th day of July, 1853;
- (v) "University" means University of Toronto;
- (w) "Vice-President" means Vice-President of the University; and
- (x) "Vice-President (Administration)" means Vice-President (Administration) of the University. 1959, c. 103, s. 1.

2. The provincial university, known as the University of Toronto, the provincial college, known as University College, the Senate, Convocation, the several faculties and schools of

the University and the Faculty of University College, are and each of them is hereby continued, and, subject to the provisions of this Act, shall respectively have, hold, possess and enjoy all the property, rights, powers and privileges which they respectively now have, hold, possess or enjoy. 1947, c. 112, s. 2.

3. All appointments in and statutes, by-laws, resolutions and regulations affecting the University and University College and each of them shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers, servants and employees, to their removal by the Board. 1959, c. 103, s. 2.

Appoint-
ments,
statutes,
by-laws, etc.,
continued

4.—(1) Whenever in any Act or document reference is made to the School of Practical Science, the same shall apply and extend to the Faculty of Applied Science and Engineering.

School of
Practical
Science
to mean
Faculty
of Applied
Science, etc.

(2) All money expended by the Board in the maintenance of the faculty shall for the purposes and within the meaning of the agreement bearing date the 2nd day of March, 1889, between Her late Majesty Queen Victoria, and the Corporation of the City of Toronto, be deemed to be money expended by "Her Majesty and Her Successors acting by and through the Executive Council of the Province of Ontario." 1947, c. 112, s. 4.

Money ex-
pended by
Board in
main-
tance of such
faculty

FEDERATED AND AFFILIATED INSTITUTIONS

5.—(1) Every university and every college federated with the University and every college affiliated with the University shall continue to be so federated or affiliated, subject to any statute in that behalf and to this Act.

Universi-
ties and
colleges,
federated or
affiliated

(2) Subject to the provisions of this Act, a college affiliated with a federated university at the time of its federation with the University, whether heretofore or hereafter entered into, shall be deemed to be affiliated with the University. 1947, c. 112, s. 5 (1, 2).

Colleges
affiliated
with feder-
ated uni-
versity

(3) The following are declared to be the universities federated with the University:

Federated
universities

- (a) Victoria University;
- (b) Trinity College; and
- (c) The University of St. Michael's College.

Federated
colleges

(4) The following are declared to be the colleges federated with the University:

- (a) Knox College;
- (b) Wycliffe College; and
- (c) Emmanuel College of Victoria University. 1959, c. 103, s. 3, *part*.

Affiliated
colleges

(5) The following are declared to be the colleges affiliated with the University:

- (a) Albert College;
- (b)
- (c) The Royal College of Dental Surgeons of Ontario;
- (d) The Ontario College of Pharmacy;
- (e)
- (f) The Ontario College of Art;
- (g) The Ontario Ladies College, by reason of its having been affiliated with Victoria University when Victoria University became federated with the University; and
- (h) St. Hilda's College, by reason of its having been affiliated with Trinity College, when Trinity College became federated with the University. 1947, c. 112, s. 5(5); 1964, c. 120, s. 30(1).

Affiliated
colleges,
when to be
represented
on Senate

(6) A college affiliated with the University since the 15th day of April, 1901, or hereafter affiliated with it shall not be entitled to representation on the Senate unless so declared by statute of the Senate.

Removal of
college from
federation
or affili-
ation

(7) The Senate may remove from federation or affiliation with the University any college, now or hereafter federated or affiliated with it, which becomes an integral part of or federates or affiliates with any other university which has and exercises the powers of conferring any degrees other than those in theology.

Colleges
affiliated
with feder-
ated univer-
sity to cease
to be affili-
ated with
University
on dissolu-
tion of
federation

(8) If and when any university now or hereafter federated with the University ceases to be federated with it, every college which is affiliated with the University by reason only of its having been affiliated with such federated university shall thereupon and thereafter cease to be affiliated with the University, but shall retain the same relation with the federated university with which it was affiliated as existed when such federated university became federated with the University. 1947, c. 112, s. 5 (6-8).

(9) The arts faculties of Victoria University, Trinity College and The University of St. Michael's College in their relation to the University shall be known as and may be called colleges of the University bearing respectively as such colleges the names Victoria College, Trinity College and St. Michael's College. 1959, c. 103, s. 3, *part*.

Arts
faculties
of Victoria,
Trinity and
St. Michael's

6.—(1) When any university in Ontario determines to surrender its degree-conferring powers, except the power of conferring degrees in theology, and notifies the Board of such determination, the Board may by statute or by-law declare such university to be federated with the University on and from a day to be named in the statute or by-law, and thereupon and thereafter the power of such federated university to confer degrees, except in theology, shall be suspended.

Admission of
universities
to federation

(2) Every such statute or by-law shall be published forthwith after the passing thereof in *The Ontario Gazette*. 1959, c. 103, s. 4.

Publication
of statute
or by-law

(3) The power and authority of conferring degrees, except in theology, of any university now or hereafter federated with the University shall be suspended and in abeyance, but may be resumed by such federated university if three years have elapsed from the date when its federation with the University took effect, and if after the lapse of such three years one year's notice in writing of its intention to resume its degree-conferring powers has been given to the Board, and such federated university shall cease to be federated with the University at and after the expiry of the last-mentioned period.

Suspension
of degree-
conferring
powers
during
federation

(4) Notice that any such federated university has ceased to be federated with the University and the date when it ceased to be so federated shall be published in the *Ontario Gazette*.

Notice of
dissolution
of federation

(5) The graduates and undergraduates in arts, science and law of a federated university and such graduates and undergraduates thereof in medicine as have passed their examinations in Ontario, so long as such federation continues, shall have and enjoy the same degrees, honours and status in the University as they held and enjoyed in the federated university. 1947, c. 112, s. 6 (3-5).

Rights of
graduates and
undergraduates
of federated
university

7.—(1) No religious test shall be required of any professor, lecturer, teacher, officer or servant of the University or of University College, or of any student thereof or therein, nor shall religious observances according to the forms of any religious denomination or sect be imposed on them or any of them, but the Board may make regulations touching the moral conduct of the students thereof and therein and their attendance on public worship in their respective churches or other places of

Religious
tests, etc.,
not required

Moral and
religious
training

religious worship and their religious instruction by their respective ministers, according to their respective forms of religious faith, and every requisite facility shall be afforded for such purposes, but attendance on such forms of religious observances shall not be compulsory on any student attending the University or University College.

Right of
federated
universities
and colleges
as to religion

(2) Nothing in this section shall interfere with the right of a federated university or college to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same to be observed as a part of its own discipline. 1947, c. 112, s. 7.

PROPERTY

Accounts of
proceeds of
sales of lands
set apart for
University and
University
College

8.—(1) Separate accounts of the proceeds of the sales of the lands set apart for the use of the University and University College or either of them by the Act passed in the 60th year of the reign of Her late Majesty Queen Victoria, chaptered 59, and by the Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 36, as amended by the Act passed in the 5th year of the same reign, chaptered 36, and by the Act passed in the last-mentioned year, chaptered 37, shall continue to be kept by the proper officers and departments and yearly accounts thereof to be furnished to the Board, as provided in those Acts, and all money derived from such sales shall be paid to the Board free from all charges or deductions for management or otherwise.

Rights of
University
as to such
lands pre-
served

(2) The repeal of the Acts and parts of Acts mentioned in subsection 1 shall not affect or impair the right of the University and University College or either of them to have the lands mentioned therein set apart in accordance with and subject to the provisions thereof. 1947, c. 112, s. 8; 1965, c. 138, s. 1.

Property
vested in
trustees
transferred
to Board

9. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University and University College or either of them or of any faculty, school or department thereof or otherwise in connection therewith, subject always to the trust affecting the same, shall be vested in the Board. 1947, c. 112, s. 9.

Queen's
Park

10. The land demised to the Corporation of the City of Toronto for the purpose of a park under the authority of section 66 of chapter 62 of the Consolidated Statutes of Upper Canada shall, so long as the lease remains in force, form part of the City of Toronto and the residue of the land adjacent to the park which is vested in the Board shall be subject to the police regulations of the corporation and the council thereof

and except as herein otherwise provided to the by-laws thereof. 1947, c. 112, s. 10.

11. All real property vested in the Board shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1947, c. 112, s. 11.

Application of statute of limitations as to property

12. The dedication heretofore by the Crown for any purpose of any real property held for the purposes of the University and University College or either of them has not taken away from such real property any rights or privileges which it enjoyed as Crown lands or prejudicially affected the same, but all such rights and privileges remain in full force and effect. 1947, c. 112, s. 12.

Former dedication to University not to affect status of lands as Crown lands

13.—(1) The real property vested in the Board shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Land vested in Board not liable to expropriation

(2) Subsection 1 shall apply to real property owned by or vested in any university or college federated with the University. 1947, c. 112, s. 13.

Extended application of subs. 1

14.—(1) The property real and personal vested in the Board and any lands and premises leased to or occupied by the Board shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but except as mentioned in subsections 2 and 3, and unless otherwise by law exempt, the interest of every lessee under a lease from the Board and every occupant other than the Board of real property vested in the Board shall be liable to taxation.

Exemption of property from taxation

(2) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of the University or of University College who, or being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which, is the lessee or occupant of any part of the property commonly known as the University Park, composed of the north halves of park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot number fourteen in the first concession, described in a

Lessees or occupants of certain land exempted

conveyance to Her late Majesty Queen Victoria, registered as number 8654R in the registry office for the registry division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation.

Certain land
of federated
bodies also
exempt

(3) Those parts of the lots mentioned in subsection 2 which are now or hereafter may be owned, leased or occupied by any federated university or federated college for the purposes of such university or college shall also be exempt from taxation in the same way and to the same extent as the real property vested in the Board and lands and premises leased to or occupied by the Board are by subsection 1 exempted from taxation. 1947, c. 112, s. 14.

Endowment
of chairs,
scholarships,
etc.

15. Any person with the approval of the Board may, under and subject to such terms and conditions as he may prescribe, endow a chair or found a fellowship, scholarship, bursary, exhibition, medal, prize or other award in the University or University College, or aid the University and University College and each of them by providing an endowment for any other purpose or object in connection therewith. 1947, c. 112, s. 15.

Board of
Governors

BOARD OF GOVERNORS

R.S.O. 1937,
c. 1

16. The Board of Governors of the University and University College is continued as a body corporate by the name and style of "The Governors of the University of Toronto," and shall have in addition to the rights, powers and privileges mentioned in section 28 of *The Interpretation Act*, the power to take and hold real property for the purposes of the University and of University College without licence in mortmain. 1947, c. 112, s. 16.

Composition
of Board

17. The Board shall consist of the Chancellor and the President of the University, who shall be *ex officio* members, and thirty-two persons appointed by the Lieutenant-Governor in Council. 1958, c. 119, s. 1.

Disqualifi-
cations

18. No person shall be eligible for appointment as a member of the Board unless he is a British subject and his customary place of residence is in the Province of Ontario. 1947, c. 112, s. 18.

Chairman

19. One of the members of the Board shall be appointed by the Lieutenant-Governor in Council to be its chairman. 1947, c. 112, s. 19.

20.—(1) The Board may appoint one of its members to be vice-chairman, and in case of the absence or illness of the chairman, or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

Appointment of vice-chairman

(2) In case of the absence or illness of the chairman, and the vice-chairman, the Board may appoint one of its members to act as chairman *pro tempore* and the member so appointed shall act as and have all the powers of the chairman.

Chairman *pro tempore*

(3) All acts which lawfully might have been done by the chairman, when done by the acting vice-chairman, or by a chairman *pro tempore* shall be conclusively deemed to have been lawfully done, and it shall not be necessary to prove that any of the causes mentioned in subsection 1 for the vice-chairman acting, or that any of the causes mentioned in subsection 2 for the appointment of a chairman *pro tempore* in fact existed. 1947, c. 112, s. 20.

Validity of their acts

21. Unless and until otherwise provided by the Board, seven members shall constitute a quorum. 1947, c. 112, s. 21.

Quorum

22. Notwithstanding any vacancy in the Board, as long as there are at least ten members it shall be competent for the Board to exercise all or any of its powers. 1947, c. 112, s. 22.

Ten members may exercise powers

23. The appointed members of the Board shall hold office for six years, and until their successors are appointed. 1947, c. 112, s. 23.

Term of office

24. An appointed member of the Board shall be eligible for re-appointment. 1947, c. 112, s. 24.

Members may be reappointed

25. An appointed member of the Board may be removed by the Lieutenant-Governor in Council. 1947, c. 112, s. 25.

Removal from office

26. The head of University College, the head of a federated university, or of a federated or an affiliated college, a member of the teaching or administrative staff of the University, of University College, of a federated university, or of a federated or affiliated college, shall not be eligible to be appointed as a member of the Board. 1947, c. 112, s. 26.

Heads of federated universities, etc., ineligible

27.—(1) If a member of the Board, after his appointment, accepts or occupies any of the offices or positions mentioned in section 26, or ceases to have his customary place of residence in the Province of Ontario, or becomes mentally ill or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office, and it shall be the duty of the Board, by resolution, to declare his membership vacant.

Member becoming ineligible

Absence from meetings

(2) If, within any fiscal year of the University, a member of the Board, not having been granted leave of absence by the Board, attends less than forty per centum of the meetings of the Board, the Board may, by resolution, declare his membership vacant.

Idem

(3) If, within any fiscal year of the University, a member of the Board, not having been granted leave of absence by the Board, attends less than twenty per centum of the meetings of the Board, he shall *ipso facto* vacate his office and it shall be the duty of the Board, by resolution, to declare his membership vacant.

Proof

(4) A resolution passed under this section entered upon the minutes of the Board shall be conclusive evidence of the vacancy therein declared. 1947, c. 112, s. 27.

Filling vacancies

28. Where a vacancy on the Board happens before the term of office for which a member has been appointed has expired, the vacancy shall be filled by the appointment by the Lieutenant-Governor in Council of a successor, who shall hold office for the remainder of the term. 1947, c. 112, s. 28.

Government, etc., of University vested in Board

29. The government, conduct, management and control of the University and of University College, and of the property, revenues, business and affairs thereof, shall be vested in the Board. 1947, c. 112, s. 29.

Borrowing powers of Board

30.—(1) In order to enable the Board to provide for the purchase of such land, and the erection of such buildings as the Board may from time to time deem necessary for the purposes of the University and of University College, including additions to, improvements of, and equipment for buildings now or hereafter erected, the Board may from time to time borrow such sums as the Board may from time to time deem necessary for such purposes, and may make and execute such instruments as may be deemed requisite for securing payment of the sums so borrowed, and the interest thereon.

Money borrowed to be charge on property

(2) The sums so borrowed and the interest thereon shall stand and be charged upon all the property vested in, and the revenues and income of the Board, and it shall not be necessary that any formal instrument declaring such charge shall be executed or registered.

Approval of Lieutenant-Governor in Council

(3) The power of borrowing hereby conferred shall not be exercised unless with the approval of the Lieutenant-Governor in Council, who may prescribe the terms and conditions on which from time to time the power shall be exercised and the money borrowed, and the nature of the securities to be given by the Board for the repayment of the money borrowed and

of the interest thereon, which may be bonds, debentures, terminable annuities or such other form of security as the Lieutenant-Governor in Council may direct or authorize.

(4) The power of borrowing hereby conferred shall be a continuing one, and shall include the power of reborrowing.

Borrowing powers exercisable from time to time

(5) The Lieutenant-Governor in Council for and in the name of the Province of Ontario may guarantee the securities for all sums borrowed by the Board under the authority of this section, and the performance of the stipulations on its part contained in such securities.

Lieutenant-Governor in Council may guarantee loans

(6) The form and manner of the guaranty shall be determined by the Lieutenant-Governor in Council and the guaranty shall be signed by the Treasurer of Ontario or by such officer or person as shall be designated for that purpose by the Lieutenant-Governor in Council.

Form of guaranty

(7) Every guaranty so signed shall be binding on the Province and the purchaser of any security so guaranteed shall not be bound to inquire into the authority of the officer or person signing the guaranty. 1947, c. 112, s. 30.

Binding effect on Province

31. The Board shall have power to make regulations or by-laws,

Regulations or by-laws

(a) pertaining to the meetings of the Board and its transactions and fixing the quorum of the Board;

Conduct of proceedings

(b) providing for the appointment of committees by the Board and for the conferring upon any of such committees of authority to act for the Board with respect to any matter or class or classes of matters, but,

Committees

(i) a majority of the members of every such committee, including in the computation thereof the *ex officio* members, shall be members of the Board, and

(ii) no decision of a committee which includes in its membership persons who are not members of the Board, shall be valid or effective until approved and ratified by the Board;

(c) providing for the retirement and superannuation of the persons mentioned in clause *a* of section 32;

Retirement of staff

(d) providing for payments by way of gratuities, retiring allowances, superannuation allowances, pensions, annuities or life insurance or any combination thereof,

Pensions

payable to, in respect of or for the benefit of the persons mentioned in clause *a* of section 32 or any class or classes thereof out of a fund or funds comprising contributions made by such persons or any class or classes thereof, or by the Board, or both, or otherwise, whether effected by agreements or arrangements entered into with one or more insurance companies licensed to transact business in Ontario or with His Majesty in right of Ontario, or His Majesty in right of Canada, or otherwise;

Pension plan	(e) providing for the termination or variation of any plan heretofore or hereafter established having those purposes mentioned in clause <i>d</i> , or any of them;
Health service, physical training, etc.	(f) providing for and governing a health service and health examination and physical instruction and training of the students of the University and University College;
Control of residences, etc.	(g) for the management, government and control of residences and dining halls for the use of the students of the University and of University College; and
Housing loans	(h) the making or guaranteeing of loans to members of the teaching or administrative staffs or other employees of the University for housing, on such terms as the Board may deem advisable. 1947, c. 112, s. 31; 1959, c. 103, s. 5.
Powers of Board	32. Without thereby limiting the general powers by this Act conferred upon or vested in the Board, it is declared that the Board shall have power to,
Appointment of President, deans, professors, etc.	(a) appoint the President, the Vice-President, the Vice-President (Administration), the deans of all the faculties, the Librarian, the Registrar, the Comptroller, the Secretary of the Board and the Superintendent of the University, the Principal and the Registrar of University College, the professors, teachers and instructors of and in the University and in University College, and all such officers, clerks, employees and servants as the Board may deem necessary for the purposes of the University and University College, or either of them, and fix their salaries or remuneration and define their duties, except those of the Librarian, and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board; but no person shall be appointed as Principal of University College, or as a dean of any faculty, or as a member

of the teaching staff of the University, or of any faculty or school thereof, or of University College, unless he has been first nominated by the President, and no dean of a faculty or member of the teaching staff of the University, or of any faculty or school thereof, or of University College shall be promoted, and no Principal of University College or dean of a faculty or member of such teaching staff shall be removed from office, except upon the recommendation of the President, but this provision shall not apply where there is a vacancy in the office of President;

- (b) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Board, and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet; Investments
- (c) purchase, take and hold by gift or devise real property for the purposes of the University and University College, or either of them, without licence in mortmain, and every person shall have the unrestricted right to devise and bequeath property, real and personal, for the purposes of the University and University College, or either of them, to the Board, or otherwise for such purposes; Acquiring and holding real property
- (d) purchase and acquire all such property as the Board may deem necessary for the purposes of the University and University College, or either of them, and such power shall include that of purchasing the interest of a lessee in any real property vested in the Board which is under lease; Acquiring other property
- (e) without the consent of the owner or of any person interested therein enter upon, take, use and expropriate all such real property as the Board may deem necessary for the purposes of the University and University College, or either of them, or of any other university or college federated with the University at the cost and expense of such federated university or college, making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the Expropriation of lands

Board and to the exercise by it of the powers conferred by this clause, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Vice-President (Administration) or the Secretary of the Board, or at the office of the Vice-President (Administration) or the Secretary of the Board, as the case may be:

Acquiring and maintaining real property for athletic purposes

(f) acquire, hold, maintain and keep in proper order and condition such real property as the Board may deem necessary for the use of the students of the University and University College, and each of them, for athletic purposes, and erect and maintain such buildings and structures thereon as it may deem necessary;

Providing means for health service, physical training, etc.

(g) provide such means for a health service and health examination and physical instruction and training of the students of the University and University College as to the Board may seem meet;

Selling and leasing lands

(h) sell any of the real property vested in the Board or lease the same for any period not exceeding twenty-one years to commence in possession, with such right of renewal and under and subject to such rents, covenants, agreements, and conditions as to the Board may seem meet;

Dedication of real property

(i) dedicate real property vested in the Board for public highways or other public purposes upon such terms and conditions as to the Board may seem meet;

Expenditure of funds in maintenance and improvements

(j) lay out and expend such sums as the Board may deem necessary for the support and maintenance of the University and University College and each of them, and for the betterment of existing buildings, and the erection of such new buildings as the Board may deem necessary for the use or purposes of the University and University College, and of each of them, and for the furnishing and equipment of such existing and newly erected buildings;

Residences and dining halls, etc.

(k) lay out and expend such sums as the Board may deem necessary for the erection, equipment, furnishing and maintenance of residences and dining halls for the use of the students of the University and University College, and of each of them, whether such students are graduates or undergraduates, and acquire and take over from any corporation any rights and powers possessed by it in respect of University residences and any property vested in it, on such terms as may be

agreed on between such corporation and the Board, and such corporation may enter into and carry out any agreement for such purposes, and upon the agreement being completed such corporation shall, if so provided by the terms of the agreement, be dissolved, and its rights, powers and property be vested in the Board;

- (l) lay out and expend such sums as may be required for the purposes of funds which are established for the payment of gratuities, retiring allowances, pensions or life insurance under regulations made pursuant to clause *d* of section 31; Gratuities,
pensions
- (m) establish such faculties, schools, institutes, departments, chairs and courses of instruction in the University, and such departments, chairs and courses of instruction in University College in any subject except theology, as to the Board may seem meet; Establishing
faculties,
departments,
etc.
- (n) provide for the federation with the University of any college established in Ontario for the promotion of art or science, or for instruction in law, medicine, engineering, agriculture or any other useful branch of learning, on such terms as to representation on the Senate and otherwise as to the Board may seem meet, and enter into any agreement which may be deemed necessary to effectuate such federation; Federation of
colleges
- (o) provide for the affiliation with the University of any college established in Canada for the promotion of art or science, or for instruction in law, medicine, engineering, agriculture, or any other useful branch of learning, on such terms as to the Board may seem meet, and enter into any agreement which may be deemed necessary to effectuate such affiliation; Affiliation of
colleges
- (p) provide for the dissolution of any such affiliation or of any existing affiliation or for the modification or alteration of the terms thereof; Dissolution of
affiliation
- (q) fix from time to time the fees to be paid for post-graduate instruction, and for instruction in all faculties, schools, institutes, departments and courses now in existence or hereafter established, the fees to be paid by regular and occasional students in the University and in University College for enrolment therein, the library fees, the laboratory supply fees, the physical training fees, the health service fees, and the fees for examinations, degrees and certificates, and when a federated college by arrangement with the Fees

proper authorities teaches any part of the course in arts, make such reduction in the fees payable by the students so taught in such college as to the Board may seem reasonable;

Arrangements with secondary and primary schools

(r) enter into such arrangements with the governing body of any secondary or primary school as the Board may deem necessary for the purpose of or in connection with the academic work of the University or of any faculty, school, institute or department thereof, and the governing body of any such school which is a collegiate institute, a high school, a day vocational school or public or separate school, may, with the approval of the Lieutenant-Governor in Council, make such arrangements with the Board;

Establishing, etc., schools

(s) establish, erect, equip, maintain and conduct such schools as may be deemed requisite for the purpose of practice and observation or otherwise for or in connection with the Ontario College of Education, and fix the fees to be paid for instruction in such schools;

Borrowing

(t) borrow from time to time from any bank or lender on such terms as may be agreed on such sums of money as may be required for the purposes of the University and University College, but,

(i) the total sum to be so borrowed and remaining unpaid at any one time shall not, without the approval of the Lieutenant-Governor in Council, exceed \$500,000, and

(ii) a bank or lender shall not be bound to inquire as to the necessity for borrowing, but where any loan is made, it shall be deemed to have been lawfully made under the authority of this section;

Power to acquire patents, etc.

(u) purchase or otherwise acquire any invention or any interest therein, or any rights in respect thereof, or any secret or other information as to any invention, and apply for, purchase or otherwise acquire any patents, interests in patents, licences and the like conferring any exclusive or non-exclusive or limited right to make or use or sell any invention or inventions and use, exercise, develop, dispose of, assign or grant licences in respect of or otherwise turn to account the property rights or information so acquired, and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of any

invention or any rights in respect thereof, or the owner of a patent of invention or of any rights thereunder may possess, exercise and enjoy;

(v) apply for, purchase or otherwise acquire any trade marks or trade names and the like or any interest therein and use, dispose of, assign or otherwise turn to account the trade marks, trade names and interests so acquired, and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a trade mark or trade name or the like may possess, exercise and enjoy; and

(w) apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licences in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired, and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right or of any interest therein or right thereunder may possess, exercise and enjoy. 1947, c. 112, s. 32; 1959, c. 103, s. 6.

Power to
acquire
trade marks

Power to
acquire
copyright

33. The Board may modify, alter and change the constitution of any body constituted or continued by this Act, except the Senate and the Committee of Election, and create such new bodies as may be deemed necessary for the purpose of carrying out the objects and provisions of this Act, and also confer upon the bodies constituted or continued by this Act, or any of them, and upon any new body hereafter constituted, such powers as to the Board may seem meet, but nothing herein shall authorize any abridgement of the powers conferred upon the Senate by section 48 or the powers conferred upon the Committee of Election by sections 62 to 67. 1947, c. 112, s. 33; 1955, c. 90, s. 2.

Alterations to
constitution

34.—(1) The Board may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the Board, which shall be the recognized official medium of communication on behalf of such students between them and the Board.

Committee
of students

(2) The Committee shall have the right to make communications through the President of the University to the Board upon any subject in which they are or may deem themselves to be interested.

Right to
make com-
munications

Saving individual rights

(3) Nothing herein shall take away or impair the right of any student of or in the University or University College to make complaint to the governing bodies thereof or to the Board in respect of any matter as to which he is or may deem himself to be entitled to complain; but every such complaint shall be transmitted through the President to the Board or to the proper governing body, as the case may be, and in no other manner.

Saving control of federated bodies

(4) Nothing in this section shall impair or affect the right of control which any federated university or college possesses over its students. 1947, c. 112, s. 34.

Endowment not to be impaired without consent of Government

35.—(1) The Board shall not incur any liability or make any expenditure which has the effect of impairing the endowment of the University and University College, or any addition to such endowment hereafter made, unless an estimate therefor has been first made and approved by the Lieutenant-Governor in Council.

“Endowment,” meaning of

(2) In this section “endowment” shall mean the real property vested in the Board, the proceeds of any part thereof sold, and the money invested in mortgages or other securities. 1947, c. 112, s. 35.

Action by Board by statute, by-law or resolution

36.—(1) Save as in this Act otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by statute, by-law or resolution, as the Board may determine, but it shall not be essential to the validity of any such statute, by-law or resolution that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board.

Actions validated

(2) Any action heretofore taken by the Board by statute, by-law or resolution in any matter with which the Board had power to deal at the time of the enactment or passing of such statute, by-law or resolution shall be deemed to have been validly taken by the Board. 1959, c. 103, s. 7.

Accounts of Board, audit of

37. The accounts of the Board shall be audited at least once a year by the Provincial Auditor, or by some person appointed by the Lieutenant-Governor in Council for that purpose. 1947, c. 112, s. 37.

Annual financial report

38.—(1) The Board shall after the close of each University year file with the Provincial Secretary an annual financial report in such form as the Lieutenant-Governor in Council may from time to time require.

Tabling of report

(2) The Provincial Secretary shall submit the report to the Lieutenant-Governor in Council and shall then lay the report

before the Assembly if it is in session, or if not, at the next ensuing session. 1953, c. 107, s. 2.

39. Without the written consent of the Attorney General no action shall be brought against the Board or against any member of it on account of anything done or omitted by him in the execution of his office. 1947, c. 112, s. 39.

Consent of Attorney General to actions against Board

40. If any question arises as to the powers or duties of the council of University College, of the council of any faculty or school, of the Caput, of the President, of the Principal of University College, or of any officer or servant of the University or of University College, it shall be settled and determined by the Board, whose decision shall be final. 1947, c. 112, s. 40.

Powers of Board as to deciding questions as to powers and duties

41. All the powers over, in respect of, or in relation to the University and University College which are not by the terms of this Act directed to be exercised by any other person or body of persons, are hereby, subject to the provisions of this Act, vested in the Board. 1947, c. 112, s. 41.

Residual powers of the Board

THE SENATE

42.—(1) The Senate of the University shall be composed as follows:

Senate, how composed

(a) The following shall be *ex officio* members:

1. The Chancellor.
2. The President.
3. The Chairman of the Board.
4. The Principal of University College.
5. The President of Victoria University.
6. The Provost of Trinity College.
7. The President of The University of St. Michael's College.
8. The Principal of Knox College.
9. The Principal of Wycliffe College.
10. The Principal of Emmanuel College.
11. The Dean of the Faculty of Arts.
12. The Dean of the Faculty of Medicine.
13. The Dean of the Faculty of Applied Science and Engineering.
14. The Dean of the Ontario College of Education.
15. The Dean of the Faculty of Forestry.

18. The Dean of the Royal Conservatory of Music of Toronto.
19. The Dean of the School of Graduate Studies.
20. The Dean of the Faculty of Dentistry.
21. The Dean of the Faculty of Law.
22. The Dean of the Faculty of Pharmacy.
23. The Director of the Library School.
24. The Director of the Faculty of Music.
25. The Director of the School of Architecture.
26. The Director of the School of Physical and Health Education.
27. The Director of the School of Social Work.
28. The Director of the School of Nursing.
29. The Director of the School of Hygiene.
30. The Director of the Institute of Child Study.
31. The Director of the Institute of Business Administration.
32. The Director of the Department of University Extension.
33. The Librarian.
34. The President of the University of Toronto Alumni Association.

(b) Members shall be appointed as follows:

1. Two members by University College.
2. One member by Victoria University.
3. Three members by the University of Trinity College.
4. Two members by The University of St. Michael's College.
5. One member by Knox College.
6. One member by Wycliffe College.
7. One member by Emmanuel College.
8. One member by the Law Society of Upper Canada.
9. One member by the College of Physicians and Surgeons of Ontario.
10. One member by the Royal College of Dental Surgeons of Ontario.
11. One member by the Ontario Association of Architects.
12. One member by the Association of Professional Engineers of Ontario.

(c) Members shall be elected by and from among the members of college, faculty and school councils as follows:

1. The Faculty of Arts, thirty members.
2. The Faculty of Medicine, five members.

3. The Faculty of Applied Science and Engineering, six members.
4. The Faculty of Household Science, one member.
5. The Ontario College of Education, two members.
6. The Faculty of Forestry, one member.
7. The Faculty of Music, one member.
8. The School of Graduate Studies, five members.
9. The Faculty of Dentistry, two members.
10. The Faculty of Law, one member.
11. The Faculty of Pharmacy, one member.
12. The School of Architecture, one member.
13. The School of Physical and Health Education, one member.
14. The School of Social Work, one member.
15. The School of Nursing, one member.
16. The Department of University Extension, one member.

(d) Each of the following groups shall elect the number of members indicated:

1. The graduates in arts and science of the University who at the time of graduation were enrolled in University College, seven members.
2. The graduates in arts and science of Victoria University and the graduates in arts and science of the University who at the time of graduation were enrolled in Victoria College, six members.
3. The graduates in arts and science of Trinity College and the graduates in arts and science of the University who at the time of graduation were enrolled in Trinity College, three members.
4. The graduates in arts and science of the University who at the time of graduation were enrolled in St. Michael's College, three members.
5. The Bachelors of Arts of the University who at the time of graduation were not enrolled in University College or in a federated university or arts college, one member.
6. The Masters of Arts and Doctors of Philosophy of the University each of whom obtained his Bachelor's degree in another university, two members.

7. The graduates in medicine, four members.
8. The graduates in applied science and engineering and such persons as hold the diploma established by the School of Practical Science, whether granted by the School of Practical Science or by the University, six members.
9. The graduates in architecture, one member.
10. The graduates in household science, one member.
11. The graduates in pedagogy, two members.
12. The graduates in library science, one member.
13. The graduates in forestry, one member.
14. The graduates in music, one member.
15. The graduates in dentistry, three members.
16. The graduates in law, one member.
17. The graduates in pharmacy, three members.
18. The graduates in physical and health education, one member.
19. The graduates in social work, one member.
20. The graduates in nursing, one member.
21. Such persons as hold certificates as principals of collegiate institutes or high schools or assistants therein and are actually engaged in teaching in a collegiate institute or high school, four members.
22. Such persons as hold certificates as principals of vocational schools or assistants therein and are actually engaged in teaching in a day vocational school, one member.

(e) A university hereafter federated with the University shall be entitled to be represented on the Senate in proportion of one member for every one hundred graduates in arts and for any fraction of one hundred over one-half, to one additional member, but in no case shall the number of members exceed five.

(f) Where a new college, faculty, school, institute or department is established in the University, the Senate may, subject to confirmation by the Board, provide for representation on the Senate of the college, faculty, school, institute or department and of the graduates of the college, faculty, school, institute or department. 1955, c. 90, s. 3, *part*; 1959, c. 103, s. 8. 1964, c. 120, s. 30(2).

University and the Arts Colleges in the ratio of three to two so that eighteen members of the Senate shall be elected by and from among the members of the Council of the Faculty of Arts who are members of University teaching departments and twelve members of the Senate shall be elected by and from among the members of the councils of the four Arts Colleges, namely, University College, three members, Victoria College, three members, Trinity College, three members and St. Michael's College, three members.

(3) College, faculty and school councils entitled to elect a member or members of such councils to the Senate may designate for each such elected member an alternate member from among the members of their respective councils and every such alternate member shall have all the privileges of a member of the Senate at any meeting of the Senate which he attends in the absence of the member whose alternate he is. 1955, c. 90, s. 3, *part.*

Alternate members

43. Members of the teaching or administrative staff of the University, of University College, of the federated universities, and of the federated and affiliated colleges, shall not be eligible for election by any of the graduate bodies. 1947, c. 112, s. 43.

Members of staff not to be elected

44. No person shall be eligible for election or appointment as a member of the Senate unless his customary place of residence is in the Province of Ontario. 1947, c. 112, s. 44.

Eligibility

45. If an elected or appointed member of the Senate resigns, ceases to have his customary place of residence in the Province of Ontario, becomes mentally ill or incapable of acting, or becomes a member of the teaching or administrative staff of any of the bodies mentioned in section 43 not being the body which he has been appointed to represent, his seat shall *ipso facto* become vacant, and a declaration of the existence of any vacancy entered upon the minutes of the Senate shall be conclusive evidence thereof. 1947, c. 112, s. 45.

Vacancies in Senate

46. If a vacancy occurs from any cause it shall be filled,

Filling vacancies in Senate

- (a) in the case of an appointed member, by the body possessing the power of appointment;
- (b) in the case of a member elected by a faculty council, by the faculty council; and
- (c) in the case of any other elected member, by the Senate,

and the person appointed or elected to fill the vacancy shall hold office for the remainder of the term of office of the member whose seat has become vacant. 1947, c. 112, s. 46.

Disputes as to
election or
right to sit

47. If any question arises touching the election of any elective member of the Senate or the right of any person to be or sit or act as a member of the Senate, the same shall not be raised or determined in or by any action or proceeding in any court, but shall be determined by the Senate, whose decision shall be final. 1947, c. 112, s. 47.

Powers and
duties of
Senate:

48. In addition to such others as are expressly mentioned in this Act, the powers and duties of the Senate shall be to,

Regulating
proceedings

(a) provide for the regulation and conduct of its proceedings, including the determination of the quorum necessary for the transaction of business;

Granting
degrees

(b) provide for the granting of and grant degrees, including honorary degrees and certificates of proficiency, except in theology;

Cancelling or
suspending
degrees

(c) provide for the cancellation, recall or suspension of and cancel, recall or suspend the degree, whether heretofore or hereafter granted or conferred, of any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which, if committed in Canada, would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University, and for erasing the name of such graduate from the roll or register of graduates and for requiring the surrender for cancellation of the diploma, certificate or other instrument evidencing the right of such graduate to the degree of which he shall have been deprived, and for providing the mode of inquiring into and determining as to the guilt of such graduate, and the procedure generally in respect of any such matter, and for the purpose of making such inquiry, the Senate and the committees thereof shall have all the powers which by *The Public Inquiries Act* may be conferred upon commissioners appointed under the provisions of that Act;

R.S.O. 1960,
c. 323

Restoring
degrees

(d) provide for the restoring, and restore, in such cases as it deems proper, degrees of graduates whose degrees have been cancelled, recalled or suspended under clause c;

Fellowships,
exhibitions,
etc.

(e) provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards;

Affiliation of
colleges

(f) provide for the affiliation with the University of any college established in Canada for the promotion of art

or science, or for instruction in law, medicine, engineering, agriculture or any other useful branch of learning, and for the dissolution of such affiliation, or of any existing affiliation, or the modification or alteration of the terms thereof;

- (g) provide for the establishment of any faculty, school, institute, department, chair or course of instruction in the University; Establishment of faculties, departments, etc.
- (h) provide for the establishment of any department, chair or course of instruction in University College in any subject except theology; Departments, etc., in University College
- (i) appoint scrutineers for the counting of the votes for elective members of the Senate; Scrutineers at elections
- (j) consider and determine on the report of the respective faculty and school councils as to the courses of study in all the faculties and schools; Considering reports of faculty councils
- (k) consider and determine as to all courses of study to which clause *j* does not apply; Courses of study
- (l) consider and determine on the report of the respective faculty and school councils as to the appointment of examiners, and the conduct and results of the examinations in all the faculties and schools; Examiners and examinations
- (m) provide for the appointment of the examiners for and for the conduct of all University examinations other than those in the faculties and schools of the University and for determining the results of such examinations; University examiners and examinations
- (n) hear and determine appeals from decisions of the faculty and school councils upon applications and memorials by students and others; Appeals from faculty councils
- (o) consider all such matters as shall be reported to it by any council and communicate its opinion or action thereon to the council; Reports from faculty councils
- (p) provide for the representation on the Senate of any faculty or school hereafter established in the University, and of the graduates in such faculty or school, if in the opinion of the Senate, provision should be made for separate representation of such graduates; Representation of new faculties on Senate

Calendars

(q) provide for the preparation and publication of the calendars, which shall include those of University College and the federated universities, or such of them as desire that their calendars shall be inserted therein;

Library and Librarian

(r) make rules and regulations for the management and conduct of the library, and prescribe the duties of the Librarian;

Changing composition of Senate

(s) make such changes in the composition of the Senate as may be deemed expedient; and

Recommendations to Board

(t) make such recommendations to the Board as may be deemed proper for promoting the interests of the University and of University College, or for carrying out the objects and provisions of this Act. 1947, c. 112, s. 48.

Senate not to alter representation of federated universities

49.—(1) Nothing in section 48 shall authorize the Senate to make any change in its composition which affects the rights of representation thereon of a federated university or the faculty of arts thereof, or of a federated college, or of the graduates of a federated university, unless the same is assented to by the federated university or college affected by the change. 1947, c. 112, s. 49(1); 1959, c. 103, s. 9.

Senate may change courses

(2) Nothing in this Act shall prevent the Senate from taking the initiative in determining as to any course of study or any change therein, but before passing any statute providing therefor, the Senate shall refer to the appropriate faculty or school council the proposition under consideration for inquiry and report thereon. 1947, c. 112, s. 49(2).

Certain statutes of Senate to be approved by Board

50. A certified copy of every statute or other enactment of the Senate providing for any of the matters or things mentioned in clauses *c, e, f, g, h, j, k, p, r*, and *s* of section 48 shall within ten days after the passing thereof, be transmitted to the Board, and no such statute or enactment shall have force or effect until it has been approved by the Board. 1947, c. 112, s. 50.

CONVOCATION

Convocation, how composed

51. Convocation shall consist of the members of the Board, the members of the Senate, the members of the teaching staffs of the University, University College, and the federated universities and colleges, of the rank of assistant professor or of rank senior thereto, and all graduates of the University and of the federated universities and federated colleges. 1947, c. 112, s. 51.

52. Convocation shall have power to,

Powers of Convocation:

- (a) make regulations for governing its proceedings and the mode of conducting the same, and keeping records thereof; Regulations as to proceedings
- (b) appoint a clerk of Convocation, and prescribe his duties; Appointment and duties of clerk
- (c) in case of the absence of the Chancellor, elect a presiding officer for any meeting thereof; Presiding officer
- (d) consider all questions affecting the interests and well-being of the University, and make representations thereon to the Board or to the Senate; Representations to Board and Senate
- (e) require a fee to be paid by the members as a condition of their being placed on the register of members, and provide that no member whose name does not appear in such register shall be entitled to take any part in the proceedings of Convocation; Fee of members
- (f) appoint an executive committee and confer upon it such powers as may seem meet. 1947, c. 112, s. 52. Executive committee

53. Convocation shall meet when convened by the Chancellor, and also at such times and places as may be fixed by Convocation by regulation, and in the absence of such regulation, as may be fixed by Convocation or by the executive committee thereof, and the Board shall provide a suitable place for its meetings. 1947, c. 112, s. 53.

Meetings of Convocation

54. Notice of all meetings shall be given in such manner as may be prescribed by Convocation by regulation, and in the absence of such regulation as may be directed by Convocation or by the executive committee. 1947, c. 112, s. 54.

Notice of meetings

55. A true copy of the minutes of the proceedings of every meeting of Convocation shall be transmitted without unnecessary delay to the Board and to the Senate. 1947, c. 112, s. 55.

Transmission of minutes

56. All questions shall be decided by the vote of the majority of the members present. 1947, c. 112, s. 56.

Majority vote to decide

57. The chairman or presiding officer shall be entitled to vote as a member of Convocation, and any question on which there is an equality of votes shall be deemed to be negatived. 1947, c. 112, s. 57.

Chairman may vote as member

58. No question shall be decided at any meeting unless at least twenty-five members are present. 1947, c. 112, s. 58.

Quorum

Special meetings—
how called

59.—(1) If at least twenty-five members by writing under their hands, setting forth the objects thereof, require the chairman to convene a special meeting of Convocation, the chairman shall call the same without unnecessary delay.

Special meetings to be confined to object

(2) No matter shall be considered at any such meeting except that for the consideration of which the meeting shall have been called. 1947, c. 112, s. 59.

Chancellor to be chairman of Convocation

60. The Chancellor shall be the chairman of Convocation. 1947, c. 112, s. 60.

Degrees to be conferred by Chancellor or President

61. All degrees shall be conferred by the Chancellor, or, in case of his absence, or of there being a vacancy in the office, by the President, or, in case of the absence of both of them, or of both offices being vacant, by a member of a faculty of the University, appointed for the purpose by the Senate. 1947, c. 112, s. 61.

CHANCELLOR

The Chancellor

62.—(1) There shall be a Chancellor of the University who shall be elected by the Committee of Election. 1955, c. 90, s. 4, *part*.

Who eligible

(2) No person shall occupy the office of Chancellor unless he is a British subject and his customary place of residence is in the Province of Ontario. 1955, c. 90, s. 4, *part*; 1959, c. 103, s. 10 (1).

Who ineligible

(3) No person shall occupy the office of Chancellor who is the President of the University, the Principal of University College, the head of a federated university, the head of a federated or affiliated college, or a member of the teaching or administrative staff of the University, of University College, of any of the federated universities or of any of the federated or affiliated colleges, or who is a member of the governing body of any federated university or of any federated or affiliated college. 1955, c. 90, s. 4, *part*; 1959, c. 103, s. 10 (2).

Nomination not affected

(4) Subsection 3 shall not render any person ineligible for nomination for the office of Chancellor. 1955, c. 90, s. 4, *part*.

Nominations by graduates

63.—(1) The Committee of Election shall elect the Chancellor from nominations made to the Committee of Election by graduates of the University entitled to vote at Senate elections.

Form and delivery of nominations

(2) Every nomination made to the Committee of Election shall be in writing signed by at least ten graduates entitled to vote at Senate elections and shall be addressed to the secretary

of the Committee of Election and shall be delivered at the office of the Registrar, or if sent by mail, received at such office not later than,

- (a) except in the cases mentioned in clause *b*, the first Wednesday in April of the year in which the term of the office of Chancellor expires;
- (b) in the case of the filling of a vacancy under section 65, a date to be fixed by the Committee of Election and published in such manner as it may determine.

(3) Upon the election of the Chancellor, notice thereof in writing over the signatures of the chairman and secretary of the Committee of Election shall be given to the Board and to the Senate. 1955, c. 90, s. 4, *part*.

Notice of election of Chancellor

64. Subject to section 65, the term of office of the Chancellor shall be three years commencing with the 1st day of July of the year in which he is elected and he shall hold office until his successor is elected and shall be eligible for re-election for one additional term of three years only. 1955, c. 90, s. 4, *part*.

Term of office

65. If a vacancy in the office of Chancellor occurs for any cause, the vacancy shall be filled by the election by the Committee of Election of a successor, and the successor so elected shall hold office for a period not exceeding three years commencing on a date to be fixed by the Committee of Election and ending on the 30th day of June in such year as the Committee of Election may designate, and he shall hold office until his successor is elected and shall be eligible for re-election for one additional term of three years only. 1955, c. 90, s. 4, *part*.

Procedure upon vacancy

66. If the Chancellor ceases to be eligible for such office or becomes mentally ill or otherwise incapable of acting, he shall *ipso facto* vacate his office and a declaration in writing of the existence of such vacancy by the Committee of Election to the Board and to the Senate shall be conclusive evidence thereof. 1955, c. 90, s. 4, *part*.

Where Chancellor becomes ineligible

67.—(1) The Committee of Election shall be composed of,

Committee of Election

- (a) the President of the University of Toronto Alumni Association; and
- (b) the members of the Senate elected pursuant to items 1 to 22 of clause *d* of subsection 1 of section 42.

(2) The Registrar shall, on or before the 1st day of May, 1955, send by registered mail to each member of the Committee of Election, at his address as it appears in the Election Register as defined in section 85, notice of the first meeting of the Committee, which meeting shall be held at the University on a date

First meeting of Committee

not less than fourteen days after the day on which notice is so mailed and not more than thirty days after the said day of mailing at a time to be specified in the notice and until a chairman is elected by the members present, the Registrar shall act as chairman of the meeting, but he shall not be entitled to vote.

Chairman

(3) The Committee of Election shall elect from among its members a chairman who shall hold office during the pleasure of the Committee and who shall preside at all meetings of the Committee at which he is present.

Acting chairman

(4) In the absence of the chairman of the Committee of Election, the members present shall elect from among their number an acting chairman who shall preside at the meeting.

Secretary

(5) The Committee of Election shall elect from among its members a secretary who shall hold office during the pleasure of the Committee and it shall be the duty of the secretary to keep a record of the proceedings of the Committee and to perform such other duties as may from time to time be assigned to him by the Committee.

Meetings

(6) The Committee of Election shall meet at such times and places and on such notice as may be fixed by it by regulation, but if at any time there is no such regulation in force a meeting may be held subject to the following conditions:

- (a) The meeting shall be held at the University.
- (b) Notice in writing of the time and place of the meeting shall be sent by registered mail to each member of the Committee of Election at his address as it appears in the Election Register as defined in section 85 at least fourteen days before the day on which the meeting is to be held setting out in a general way the business to be transacted at the meeting.
- (c) Notice as aforesaid shall be given by the secretary on the written instructions of the chairman of the Committee of Election, and if there is no chairman in office the notice shall be given by the secretary on the written instructions of any two members of the Committee of Election, and if there is no secretary in office the notice shall be given by the Registrar on the written instructions of the chairman or, if there is no chairman in office, on the written instructions of any two members of the Committee of Election.

Quorum

(7) Thirty-three members of the Committee of Election shall constitute a quorum at a meeting of the Committee.

(8) Each member of the Committee of Election, present at ^{Voting} a meeting of the Committee, shall be entitled to one vote.

(9) All questions at a meeting of the Committee of Election ^{Idem} shall be decided by a majority of the votes of the members present and the chairman or acting chairman and the secretary may vote on all motions and any motion on which there is an equality of votes shall be deemed to be negatived.

(10) Notwithstanding any vacancy in the Committee of Election and pending the filling of any such vacancy in accordance with clause *c* of section 46, or in the case of a vacancy in the office of President of the University of Toronto Alumni Association and pending the election of a new president of the said Association, as long as there are at least thirty-three members of the Committee of Election it shall be competent for the Committee to exercise all or any of its powers. 1955, c. 90, s. 4, *part*.

Thirty-three
members
may exercise
powers

COUNCILS

68.—(1) There shall be a council to be known as "The Council of the Faculty of Arts", which shall consist of, <sup>Council of
Faculty of Arts</sup>

- (a) the President;
- (b) the Principal of University College;
- (c) the president or other head of each federated university or federated arts college;
- (d) the Dean of the Faculty of Arts;
- (e) the Librarian;
- (f) the teaching staff in the Faculty of Arts of the University;
- (g) the teaching staff of University College;
- (h) the teaching staff in the Faculty of Arts of Victoria College;
- (i) the teaching staff in the Faculty of Arts of Trinity College;
- (j) the teaching staff in the Faculty of Arts of St. Michael's College;
- (k) the teaching staff in the Faculty of Arts of every other university or arts college hereafter federated with the University;
- (l) one professor in the department of religious knowledge appointed by the theological faculty in each federated university now or hereafter federated; and

(m) one professor appointed by each of the federated colleges.

Other faculty
councils

(2) There shall be a council for each of the other faculties and schools of the University now or herafter established to consist of the dean or director and the teaching staff thereof and the Librarian, and a council for University College to be known as the Council of University College and to consist of the Principal and the teaching staff thereof and the Librarian.

Interpre-
tation

(3) For the purposes of this section,

- (a) "teaching staff" shall not include lecturers and instructors whose appointments are temporary; and
- (b) lecturers and instructors who are members of a council shall act as assessors only and shall not be entitled to vote. 1947, c. 112, s. 68.

Chairman

69. The chairman of a council shall be,

- (a) in the case of the Council of the Faculty of Arts, the President;
- (b) in the case of the Council of University College, the Principal of University College; and
- (c) in the case of each of the other councils, the dean of the faculty or the director of the school. 1947, c. 112, s. 69.

Powers and
duties of
faculty
councils except
University
College

70.—(1) The powers and duties of the Council of the Faculty of Arts and of the council of each of the other faculties and schools shall be to,

- (a) make rules and regulations for governing its proceedings, including the determination of the quorum necessary for the transaction of business;
- (b) subject to the provisions of this Act and to the approval of the Board, make rules and regulations for the government, direction and management of the faculty or school, and the affairs and business thereof;
- (c) subject to the approval of the Senate, fix and determine the courses of study in the faculty or school;
- (d) subject to approval and confirmation by the Senate, appoint the examiners for, and conduct the examinations of the courses in the faculty or school and determine the results of such examinations;
- (e) subject to an appeal to the Senate, deal with and decide upon all applications and memorials by students

and others in connection with the faculty or school;
and

(f) consider and report to the Senate upon such matters affecting the faculty or school as to the council may seem meet.

(2) The powers and duties of the Council of University College shall be to, University College

- (a) make rules and regulations for governing its proceedings, including the determination of the quorum necessary for the transaction of business;
- (b) subject to the provisions of this Act and to the approval of the Board, make rules and regulations for the government, direction and management of University College, and the affairs and business thereof;
- (c) appoint the examiners for and conduct the examinations of University College; and
- (d) consider and report to the Board and to the Senate or to either of them upon such matters affecting University College as may seem meet. 1947, c. 112, s. 70.

CAPUT

71. Unless and until otherwise provided by the Board, there shall be a Committee to be called the Caput, which shall be composed of the President, who shall be the chairman, the Principal of University College, the heads of the federated universities, the heads of the federated colleges, the deans of the faculties of the University and the Warden of Hart House, and the presence of at least five of the members shall be necessary to constitute a quorum for the transaction of business. 1947, c. 112, s. 71.

Caput, how composed

Quorum

72. The powers and duties of the Caput shall be to,

Powers and duties:

- (a) fix and determine the time tables for the lectures and other instruction in the University which affect more than one faculty or school or which affect University College, or a federated university or college; Time tables for lectures, etc.
- (b) authorize such lecturing and teaching in the University by others than the duly appointed members of the teaching staff thereof, and prevent all lecturing and teaching not so authorized; Authorizing lecturing and teaching
- (c) exercise the powers as to discipline conferred upon it by sections 79 to 82; Disciplinary powers

To determine control of university associations

Matters assigned to Caput by Board or Senate

Rules or regulations to be approved by Board

Caput may advise President

President of University

Member of councils

Chairman of Senate

To confer degrees in absence of Chancellor

To call meetings of Council of Faculty of Arts

Suspending members of staff

Recommendations to Board as to appointments, etc.

(d) determine by general regulation or otherwise to what university, college, faculty, school, or other body, the control of any university association belongs;

(e) generally, deal with all such matters as may be assigned to it by the Board or by the Senate, if in the latter case such matters fall within the powers conferred upon the Senate by this Act. 1947, c. 112, s. 72.

73. A copy of every general rule or regulation made by the Caput shall be transmitted to the Board, and no such general rule or regulation shall have any force or effect until it has been approved by the Board. 1947, c. 112, s. 73.

74. The Caput may advise the President in all matters affecting the academic interests of the University, but the powers of the President shall not be subject to its control. 1947, c. 112, s. 74.

PRESIDENT, PRINCIPAL, REGISTRARS

75.—(1) There shall be a President of the University who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of the University, and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar, and shall also have such other powers and perform such other duties as from time to time may be conferred upon or assigned to him by the Board.

(2) He shall be a member of all councils except the Council of University College and he shall be chairman of the Council of the Faculty of Arts.

(3) He shall be chairman of the Senate.

(4) In the absence of the Chancellor, he shall confer all degrees.

(5) He shall call meetings of the Council of the Faculty of Arts in accordance with the regulations of the Council, and also when requested to do so by at least five members thereof.

(6) He shall have power to suspend any member of the teaching staff of the University and University College and any officer and servant mentioned in subsection 1 and when he exercises that power he shall forthwith report his action to the Board, with a statement of his reasons therefor.

(7) He shall make recommendations to the Board as to all appointments to and all promotions in, and removals from the teaching staff of the University, and University College, in-

cluding the Principal, and of the officers and servants mentioned in subsection 1.

(8) He shall have the right to summon meetings of any council whenever he may deem it necessary to do so, and to take the chair at any meeting thereof at which he may be present.

(9) He may also, at his discretion, convene joint meetings of all the councils or any two or more of them.

(10) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of the University and University College, and as to their progress and requirements, and make such recommendations thereon as he may deem necessary, and he shall also report upon any matter which may be referred to him by the Board or by the Senate.

(11) The enumeration of the express powers mentioned in subsections 4 to 10 shall not limit the general powers conferred by subsection 1. 1947, c. 112, s. 75.

76.—(1) In case of his absence or illness, the President may appoint a member of any faculty or school to act in his stead, and if there is a vacancy in the office of President, or if no appointment is made, the Board may appoint a member of any faculty or school to act *pro tempore*, and, failing an appointment, and until it is made, the Dean of the Faculty of Arts of the University shall act as President *pro tempore*.

(2) The person acting pursuant to any such appointment shall have and may exercise all the powers and shall perform all the duties of President, but not those as to appointments, promotions and removals unless requested by the Board to do so. 1947, c. 112, s. 76.

77.—(1) There shall be a Principal of University College, who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of University College and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of University College, and shall also have such other powers and perform such other duties as from time to time may be assigned to him by the Board.

(2) He shall be a member of the Council of the Faculty of Arts.

(3) He shall call meetings of the Council of University College in accordance with the regulations of the Council, and when requested to do so by at least five members thereof, and also whenever he may see fit.

Summoning meetings of councils

Convening joint meetings of councils

Annual report to Board

Mention of express powers not to limit general powers

President may appoint a substitute in case of absence or illness

Powers of President *pro tem*

Principal of University College

To be a member of Faculty of Arts

To call meetings of Council of University College

May suspend
members of
staff of College

(4) He shall have power to suspend any member of the teaching staff of University College, and any officer and servant mentioned in subsection 1, and when he exercises that power, he shall forthwith report his action to the President with a statement of his reasons therefor.

Annual report
to Board and
Senate

(5) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of University College, and as to its progress and requirements, and make such recommendations thereon as he may deem necessary and he shall also report upon any matter which may be referred to him by the Board or by the Senate, and his reports shall, in all cases, be made through the President.

Absence or
vacancy in
office of
Principal

(6) In case of the absence or illness of the Principal, he may appoint a member of the teaching staff of University College to act for him and failing an appointment and until it is made by him, or if there is a vacancy in the office of Principal, the senior member of the teaching staff of University College shall act as principal *pro tempore*. 1947, c. 112, s. 77.

Registrars
for University
and University
College

78. There shall be a Registrar for the University and a Registrar for University College, and the offices shall not be held by the same person. 1947, c. 112, s. 78.

DISCIPLINE

Disciplinary
jurisdiction of
governing
bodies

79.—(1) The Council of University College, and the governing bodies of the federated universities and colleges, shall, respectively, have disciplinary jurisdiction over and entire responsibility for the conduct of their students in respect of all matters arising or occurring in or upon their respective college buildings and grounds, including residences.

Disciplinary
jurisdiction
of faculty
councils

(2) The councils of such of the faculties and schools as shall have assigned for their separate use any buildings and grounds, including residences, shall have disciplinary jurisdiction over and entire responsibility for the conduct of all students in their respective faculties and schools in respect of all matters arising or occurring in or upon such buildings and grounds, including residences.

Disciplinary
jurisdiction
of Caput

(3) In all other cases, as respects all students of the University, University College and the federated universities and colleges, disciplinary jurisdiction shall be vested in the Caput, but the Caput may delegate its authority in any particular case or by general regulation to the council or other governing body of the university, college, faculty or school to which the student belongs. 1947, c. 112, s. 79.

80.—(1) Disciplinary jurisdiction under section 79 shall include power to suspend, to impose fines and to recommend to the Senate the withholding of degrees, diplomas, certificates or academic standing.

Punishments

(2) In cases involving conduct which the Caput, the governing body of a federated university or college, or a council considers may warrant the punishment of expulsion, the Caput shall have power to award either in addition to or in substitution for any punishment which may be awarded under section 79 or this section, the punishment of expulsion, subject to confirmation by the Board, whose decision shall be final and not open to review. 1947, c. 112, s. 80.

Expulsion

81. If there is any question as to the proper body to exercise jurisdiction in any matter of discipline which may arise, it shall be determined by the Caput, whose decision shall be final and not open to review. 1947, c. 112, s. 81.

Deciding questions of jurisdiction

82. A student shall have the right to appeal to the Board from any punishment awarded against him except in a case of expulsion which has been confirmed by the Board, but shall have no other right of appeal and the decision of the body exercising disciplinary jurisdiction as hereinbefore provided shall be final and binding and not open to review except by the Board. 1947, c. 112, s. 82.

Right of appeal

83. As respects the conduct and discipline as students of the University of all students registered in the University to whatsoever federated university, federated college, college, faculty or school they belong and as respects all students enrolled in University College the provisions of sections 79 to 82 may be abrogated or changed by the Board. 1947, c. 112, s. 83.

Power to abrogate or change provisions as to discipline

SENATE ELECTIONS

84. Except as otherwise provided in this Act the elective members of the Senate shall be elected and the appointed members thereof shall be appointed quadrennially and they shall hold office until their respective successors are elected or appointed. 1947, c. 112, s. 84.

Quadrennial elections of Senate

85.—(1) The Registrar shall, after the 15th day of January and before the 15th day of February in every year in which an election is to take place, prepare an alphabetical list, to be called "The Election Register," of the names and known addresses of all graduates who are entitled to vote at such election. 1959, c. 103, s. 11.

Election Register

Use of card catalogue in place of list of graduates

(2) Where a card catalogue containing the names and known addresses of such graduates is kept, it shall not be necessary to prepare the alphabetical list mentioned in subsection 1. 1947, c. 112, s. 85 (2).

Register to be posted up in office of Registrar

86. The election register shall be posted up or the card catalogue shall be kept in a conspicuous place in the office of the Registrar not later than the 15th day of February in every such year, and shall be open to inspection by any graduate entitled to vote, at all reasonable hours. 1959, c. 103, s. 12, *part*.

Persons not to vote unless names on register

87. No person whose name does not appear in the election register shall be entitled to vote at the election. 1947, c. 112, s. 87.

When election register is not duly prepared

88. If from any cause the election register is not prepared at the time and in the manner provided by this Act, the Board shall make provision for the preparation of it, and all the provisions of this Act as to the election register, except those relating to time, shall apply to the election register so prepared. 1947, c. 112, s. 88.

List of graduates entitled to vote to be furnished to Registrar

89. For the purposes of all elections at which graduates of a federated university are entitled to vote, the registrar of such university shall, on or before the 15th day of January in each year in which an election at which such graduates are entitled to vote is to be held, furnish to the Registrar a list of the names of all graduates of such federated university who are entitled to vote, with their post office addresses as far as known. 1959, c. 103, s. 12, *part*.

List of principals and assistants in high schools, etc.

90. The Minister of Education shall, upon the application of the Registrar, furnish him, on or before the 1st day of February in each year in which an election is to be held, with a list of all principals of and assistants in collegiate institutes and high schools who are actually engaged in teaching in a collegiate institute or high school, and with a list of all principals of and assistants in vocational schools who are actually engaged in teaching in a day vocational school, with their post office addresses as far as known. 1959, c. 103, s. 12, *part*.

Separate lists of different classes of persons entitled to vote

91.—(1) The Registrar, in preparing the election register, shall make separate lists to conform to the various groups enumerated under section 42.

Lists to be voters' lists

(2) Such lists shall be the voters' lists for the election. 1947, c. 112, s. 91.

Complaints as to error and omissions in lists

92. If any person whose name appears or ought to appear in any election register complains in writing to the Registrar, not later than ten clear days before the second Wednesday of

the month of March in the year in which an election is to be held, that his name or that of any person which ought to appear therein has been omitted from such register, or of any error in such name as it appears therein, or that the name of any person whose name ought not to be entered in the register appears therein, the Registrar shall forthwith examine into the complaint, and after such notice as he may deem necessary to any person whose name is sought to be stricken from such register, rectify the error, if any, therein. 1959, c. 103, s. 12, *part*.

93. The decision of the Registrar shall be subject to appeal to the President. 1947, c. 112, s. 93.

Appeal from decision of Registrar

94. No person shall be elected a member of the Senate, unless he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void. 1947, c. 112, s. 94.

Nominations for Senate

95. The nominations shall be in writing by a nomination paper, which shall be signed by at least ten of the persons entitled to vote at the election. 1947, c. 112, s. 95.

Nomination to be in writing

96. The nomination paper shall be delivered at the office of the Registrar, or, if sent by mail, shall be received there not later than the first Wednesday in March of the year in which the election is to take place, and, if not so delivered or received, shall be invalid and shall not be acted upon. 1959, c. 103, s. 12, *part*.

Delivery of nomination paper to Registrar

97. Any person nominated as a member of the Senate may refuse to become a candidate and he shall be deemed not to have been nominated, and his name shall not be included in the list of candidates, if he notifies the Registrar in writing of his refusal within one week after the day upon which the time for nominations expired. 1959, c. 103, s. 12, *part*.

Refusal to become a candidate

98. If only such number of persons as are required to be elected as members of the Senate are nominated within the time fixed for that purpose the persons so nominated shall be elected to and be entitled to hold the offices for which they were respectively nominated. 1947, c. 112, s. 98.

Election of Senate by acclamation

99. The Registrar shall report to the Senate at its next meeting the results of the election. 1947, c. 112, s. 99.

Report of result of election to Senate

100. If a poll is necessary, the Registrar shall, on or before the fourth Wednesday in such month of March, send by mail to every graduate who, according to the election register, is entitled to vote at the election and whose place of residence

Voting papers to be sent to graduates

is shown in such register, or is known to the Registrar, a voting paper in a form approved by the Senate, together with a list of the persons whose term of office is expiring and of all persons who have been nominated. 1959, c. 103, s. 12, *part*.

Votes, how given

101. The votes shall be given by closed voting papers, which shall be delivered or, if sent by mail, shall be received at the office of the Registrar not earlier than the fourth Wednesday of such month of March and not later than the fourth Wednesday of April following, both days inclusive, and every voting paper which has not been furnished by the Registrar, or which is not so delivered or received, shall be invalid and shall not be counted. 1959, c. 103, s. 12, *part*.

Scrutineers

102. Two persons appointed by the Senate for that purpose, shall be the scrutineers; but, if the Senate does not at least two weeks previous to the time fixed for the counting of the votes appoint the scrutineers, the President shall make the appointment. 1947, c. 112, s. 102.

Opening and counting votes

103.—(1) The voting papers, upon the next day after the time for receiving them has expired, shall be opened by the Registrar, and such persons as may be appointed by the President to assist in the opening thereof, in the presence of the President and of the scrutineers, who shall examine and count the votes and keep a record thereof in a book to be provided for that purpose, and the opening of the voting papers and the counting and recording of the votes shall be continued from day to day until completed.

When President absent

(2) If the President is unable to be present, he shall appoint some person to act in his stead. 1947, c. 112, s. 103.

Who may be present at count

104. Any person entitled to vote at the election may be present at the opening of the voting papers and the counting and recording of the votes. 1947, c. 112, s. 104.

When voter gives more votes than entitled to

105. If more names than the number to be elected appear on a voting paper the votes shall be counted as votes for the persons whose names appear thereon in consecutive order beginning with the first until the required number is reached, and all other votes thereon shall be invalid and shall not be counted. 1947, c. 112, s. 105.

Declaration of result

106. Upon the completion of the scrutiny and counting of the votes, the President or other person acting in his stead and the scrutineers shall declare the result of the election, setting forth the number of votes cast for every person who has been nominated, and shall, without delay, report the same in writing under their hands to the Senate. 1947, c. 112, s. 106.

107. In case of an equality of the votes given for two or more candidates which leaves the election undecided, the Senate shall, at its next meeting, give the casting vote or votes necessary to decide it. 1947, c. 112, s. 107.

Senate to have casting vote

108.—(1) If from any cause any election provided for by this Act is not held as hereinbefore provided, or if the full number of members which any body is entitled to elect is not elected, instead of an election being held, the Senate, at a special meeting called for that purpose, may appoint the number of members which such body has failed to elect.

Failure of election of representatives by any body entitled to elect

(2) If the Senate should by resolution decline to appoint the members which any body has failed to elect, the Board shall make provision for holding the election or an election of the number of members which such body has failed to elect, as the case may be, and fix the dates for the nominations and the other proceedings for taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, as far as may be practicable, be conformable with those provided by this Act. 1947, c. 112, s. 108.

Proceedings by Board on failure of Senate to act

109. Notwithstanding any vacancy in the membership of the Senate, however caused, as long as there are at least twenty members, it shall be competent for the Senate to exercise all or any of its powers. 1947, c. 112, s. 109.

Quorum of Senate

SUBJECTS OF INSTRUCTION, ATTENDANCE, FEES, ENROLMENT

110. Instruction in the Faculty of Arts shall be apportioned between the University and University College as follows,

Course of instruction in Arts

(a) in the University, instruction shall be given in anthropology, art and archaeology, astronomy, botany, chemistry, geography, geological sciences, history, Italian, law, mathematics (including actuarial science and applied mathematics), military studies, music, philosophy (excluding ethics), physics, political economy (including economics, political science, sociology and commerce), psychology, Spanish and zoology, and in such other subjects as, from time to time, may be determined by statute of the Senate in that behalf;

University courses

(b) in University College, instruction shall be given in Greek, Latin, ancient history, English, French, German, Oriental languages and ethics, and in such other subjects as may, from time to time, be determined by statute of the Senate in that behalf, but not in theology. 1947, c. 112, s. 110.

University College courses

Consent of
federated
universities
required to
transfer of
subjects

111. The subjects of instruction assigned by section 110 to the University and University College, respectively, shall not be transferred from the one to the other except by the direction of the Board, and no such direction shall be made unless with the consent of the federated universities. 1947, c. 112, s. 111.

University
curriculum in
arts to include
certain theo-
logical subjects

112.—(1) The curriculum in arts of the University shall include the subjects of Biblical Greek, Biblical literature, Christian ethics, apologetics, the evidences of natural and revealed religion and church history, but any provision for examination and instruction in them shall be left to the voluntary action of the federated universities and colleges, and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree.

Distribution of
options over
years of course

(2) The options shall be evenly distributed over each year of the general or pass course, and as far as practicable over each of the honour courses. 1947, c. 112, s. 112.

Attendance
at lectures in
federated
universities

113. The Board, with the consent of the federated universities, but not otherwise, may provide that attendance by a student enrolled in University College upon instruction in the subjects assigned to University College, or any of them, in any of the federated universities, shall be equivalent to attendance in University College, and that such attendance in University College by a student enrolled in a federated university shall be equivalent to attendance in such federated university, and may prescribe the terms and conditions upon which any such attendance upon instruction may take place. 1947, c. 112, s. 113.

Interchange of
lectures with
federated
universities

114. Save as otherwise provided by the Board, a professor, lecturer, or teacher of University College may give instruction at or to the students enrolled in any federated university in any of the subjects of instruction from time to time assigned to University College, and a professor, lecturer or teacher of any federated university may give instruction at or to the students enrolled in University College in any of such subjects, but the consent of the Principal of University College and of the federated university concerned and the approval of the Senate shall be first obtained. 1947, c. 112, s. 114.

Instruction in
arts to be free
except as to
certain fees

115. Instruction in arts in the University, except post-graduate instruction, shall be free to all regular matriculated students thereof who are enrolled in University College or in a federated university and who enter their names with the Registrar, but this provision shall not include exemption from library fees, laboratory supply fees, physical training fees, health service fees, and the fees for examinations, degrees and certificates. 1959, c. 103, s. 12, *part*.

116. The table of fees, which on the 15th day of June, 1906, was in force for University College shall be the minimum table of fees for University College and for the arts faculties of the federated universities, and no reduction shall be made in such minimum unless with the consent of the Board and of the federated universities. 1947, c. 112, s. 116.

Minimum table of fees

117. Attendance upon instruction in University College or in a federated university by a student enrolled therein shall entitle such student to present himself for any arts examination in and to proceed to any degree in arts of the University, and to compete for any fellowship, scholarship, bursary, exhibition, medal, prize or other award or certificate of proficiency in arts awarded or granted by the University in the same way and to the same extent as if he had attended upon such instruction in the University. 1959, c. 103, s. 12, *part*.

Attendance on lectures as qualification to compete for fellowships, etc.

118. If and as far as may be sanctioned by the Senate and approved by the Board, section 117 shall apply to attendance by a student of a federated or affiliated college upon instruction therein. 1947, c. 112, s. 118.

Federated colleges

119.—(1) All students proceeding to a degree in arts in the University, unless in cases for which special provision is made to the contrary by statute of the Senate, shall be enrolled in University College or in a federated university.

University students in arts, enrolment of

(2) Subject to the statutes of the Senate, all students proceeding to a degree in any faculty or school of the University, other than that of arts, unless in cases for which special provision is made to the contrary by statute of the Senate, shall be registered in the University and receive their instruction therein, except in the subjects in which by or under the authority of clause *b* of section 110 instruction is or may be provided for in University College, as to which it shall be sufficient if, being a student enrolled in University College or in a federated university, he has received instruction therein.

Registration of students

(3) All occasional and graduate students shall also be registered in the University. 1959, c. 103, s. 12, *part*.

Occasional and graduate students

120. Persons who have not received their instruction in the University, or in University College, or in a federated university or college, or in an affiliated college, may be admitted as candidates for examination for standing or for any degree, honour, certificate of proficiency, fellowship, scholarship, bursary, exhibition, medal, prize or other award authorized to be granted or conferred by the University on such conditions as the Senate may, from time to time, determine. 1947, c. 112, s. 120.

Admission of candidates not students of the University

Qualifications
of admission to
University
examinations

121.—(1) No student enrolled in University College or in a federated university or college or in an affiliated college shall be permitted to present himself for any University examination subsequent to that for matriculation without producing a certificate that he has complied with the requirements of such university or college affecting his admission to such examination.

Students
enrolled in
affiliated
colleges

(2) A student enrolled in an affiliated college may, subject to subsection 1 and to any statute of the Senate, present himself for any University examination subsequent to that for matriculation leading to a degree in that branch of learning in which instruction is given in such college, but such student shall not be entitled, unless by special permission of the Senate to present himself for any examination leading to a degree in arts or in any other faculty of the University. 1947, c. 112, s. 121.

Diplomas,
certificates,
etc., to indicate
university or
college

122. Every graduate's diploma and student's certificate of standing, in addition to being signed by the proper authority of the University, shall indicate the federated university or college or affiliated college in which such student was enrolled at the time of his graduation or examination, and shall be signed by such professor, teacher or officer of the federated university or college or affiliated college as the governing body thereof may determine. 1947, c. 112, s. 122.

123. Repealed. 1965, c. 138, s. 2.

Rights of
Trinity College
under
federation
agreement

124.—(1) Nothing in this Act shall impair or prejudicially affect the rights of Trinity College under those provisions of the agreement made between the Trustees of the University of Toronto and Trinity College bearing date the 25th day of August, 1903, which are set out in Schedule B, but such provisions shall continue binding on the University.

Arrangements
for removal of
Trinity College
to Queen's
Park

(2) The Board may make such arrangement as it may deem expedient for facilitating the removal of Trinity College to Queen's Park, and to that end may agree to such modifications and alterations of the terms of such agreement, and may agree to such additional or substituted terms, financial or otherwise as to the Board may seem meet, but no such agreement shall have any force or effect until approved by the Lieutenant-Governor in Council, and when so approved it shall have the same force and effect as if the terms thereof had been embodied in this Act.

Loan to Trinity
may be
guaranteed by
Province

(3) In the event of its being necessary in order to carry out any agreement entered into under the provisions of subsection 2, that to enable Trinity College to remove its seat to a site on the University land in or near Queen's Park and to erect new buildings thereon a loan to be raised by Trinity College should be guaranteed by the Province, the Lieutenant-Governor in

Council for and in the name of the Province may guarantee the repayment of the loan in such form and upon and subject to such conditions and stipulations as to the nature and sufficiency of the security to be given for the loan, the safeguards which may be deemed necessary to protect the Province against loss and to ensure the repayment of principal and interest as the same become due and otherwise as to the Lieutenant-Governor in Council may seem meet.

(4) Trinity College may enter into any agreement which it may deem necessary for carrying out the purpose mentioned in subsection 2, and may make and execute all agreements, deeds and other instruments deemed necessary to carry into effect the provisions of any such agreement.

Trinity College authorized to enter into agreement as to removal

(5) Trinity College may also borrow upon the security of its property, real and personal, or any part thereof, such sum of money as may be deemed requisite in order to carry out such removal, and the terms of any agreement so entered into, and may execute such deeds, bonds, debentures and other instruments necessary for the purposes of such security, and the money so borrowed may be repayable at such times and in such manner and bear such rate of interest as to Trinity College may seem meet. 1947, c. 112, s. 124.

Borrowing powers of Trinity College

DEVONSHIRE PLACE

125.—(1) The Board may stop up and close the highway in the City of Toronto called Devonshire Place, and if and when a statute or by-law for that purpose is passed by the Board and registered as hereinafter mentioned, the said highway shall be stopped up and closed and shall cease to be a highway, and the soil and freehold thereof shall be vested in the Board for the use of the University and University College. 1947, c. 112, s. 125 (1); 1959, c. 103, s. 13 (1).

Board may close Devonshire Place

(2) The Board shall make to the owners and occupiers of and all persons interested in any of the lots fronting or abutting on the said highway compensation for the damage or injury occasioned to such lots by the closing of the highway, and the amount of such compensation shall be ascertained and determined in the manner provided for by clause *e* of section 32. 1947, c. 112, s. 125 (2).

Compensation to owners of adjoining lands

(3) The statute or by-law may be registered in the Registry Office for the City of Toronto, and for the purpose of such registration a duplicate original of the statute or by-law shall be made out and certified under the hand of the Secretary of the Board and the seal of the Board and shall be registered without any further proof. 1959, c. 103, s. 13 (2).

Registration of statute or by-law closing Devonshire Place

FEDERATED COLLEGES BECOMING COLLEGES OF THE UNIVERSITY

When federated college may become a college of the University

126. If where a college federated with the University has established or hereafter establishes a faculty of arts in which instruction in the subjects of the course of study in arts not being University subjects is provided and a statute or by-law of the Board has been or shall be passed declaring that it has so done, such college, so long as it maintains such faculty to the satisfaction of the Board, shall be known as and may be called a college of the University, and the teaching staff in such faculty shall have the same representation in the Council of the Faculty of Arts as is by section 68 given to the teaching staffs of the federated universities, and the regular matriculated students of such college who are enrolled therein and enter their names with the Registrar shall be entitled to the privileges which are by section 115 conferred upon the students mentioned therein. 1947, c. 112, s. 126; 1959, c. 103, s. 14.

GENERAL

Rev. Stat.,
c. 372;
1940, c. 28,
s. 30; 1942,
c. 34, s. 39;
1946, c. 89,
s. 44, repealed

127. *The University Act*, section 30 of *The Statute Law Amendment Act, 1940*, section 39 of *The Statute Law Amendment Act, 1942*, and section 44 of *The Statute Law Amendment Act, 1946*, are repealed.

Commencement

128. This Act shall come into force on the day upon which it receives the Royal Assent and shall be deemed to have had effect on and after the 1st day of March, 1947.

Short title

129. This Act may be cited as *The University of Toronto Act, 1947*.

[NOTE.—*Schedule A repealed by 1953, c. 107, s. 4.*]

SCHEDELE B

(Section 124)

Provisions of the agreement between the Trustees of the University of Toronto and Trinity College which are not to be affected by the Act.

“The parties of the second part shall be entitled to have lectures in the University subjects as defined by *The University Act, 1901*, delivered by the professors and other instructors of the University of Toronto at Trinity College in all subjects of the general or pass course, and as far as practicable in all subjects of the several honour courses, but it is hereby declared that it is not intended that there shall be any duplication of lectures or other instruction for the purposes of which scientific apparatus or other means of demonstration are required which are not provided by Trinity College, and which cannot be conveniently taken from the University buildings to Trinity College.

“All arrangements for such lectures, including the time table of lectures and the personnel of lecturers, shall be made in such manner as to afford to the students enrolled at Trinity College the same advantages in regard to the University lectures as are afforded to the students of the other Arts colleges, and the said arrangements shall be made in each year by the President of the University of Toronto and the Provost of Trinity College, and, in the event of their being unable to agree on any matter, the same shall be forthwith referred for final decision to such person as they may designate in writing under their hands, and, in the event of the President and the Provost being unable to agree upon such referee within one week after such disagreement on any matter as aforesaid, such referee shall be appointed by the Minister of Education, and a decision in writing of such referee, by whomsoever chosen, shall be final.

“The expenses connected with the duplication of lectures as aforesaid shall be assumed by the Government as a permanent charge on the provincial revenues in consideration of the suspension by Trinity College of its degree conferring powers, and of its surrender to the University of Toronto of all fees in connection with degrees other than those of Theology.

“A site to be agreed on between the said parties hereto in or near the Queen’s Park, in the City of Toronto, on the lands vested in the parties of the first part, shall be reserved for the parties of the second part, on which they may erect at their own expense a building for the use of the students of Trinity College while attending lectures in the University buildings.

“Such site shall be occupied by the parties of the second part free of ground rent and all other charges so long as the federation of the universities continue, but, in the event of the withdrawal of the parties of the second part from federation the said building shall be purchased from the said parties of the second part by the said parties of the first part at a valuation to be determined by the arbitration of two indifferent persons to be appointed, one by each of the parties hereto, their successors or assigns, and this provision shall be deemed to be and shall be a submission under *The Arbitration Act*.

“Until the erection of such building, students from Trinity College attending University lectures shall be allowed the use of some suitable rooms in one of the University buildings.

“Subsections 1 and 2 of section 43 of the said Act are hereby declared to be incorporated in and to form part of this agreement.

"The senate of the University of Toronto shall enact such statutes as may be necessary to enable the University of Toronto to confer on undergraduates and graduates of Trinity College the degrees provided for by subsection 2 of section 3 of *The University Act, 1901*, which are now conferred by Trinity University.

"The examination for the said degrees shall be conducted by the University of Toronto through examiners nominated by the parties of the second part, and the said degrees shall be conferred by the University of Toronto upon the report of the said examiners.

"All students of Trinity Medical College who have not matriculated at the date of the issue of the proclamation of the federation of the two universities shall be allowed two years from the date to matriculate in the University of Trinity College under the regulations in force at the date of federation."

1947, c. 112, Sched. B.

THE TRENT UNIVERSITY ACT, 1962-63.

An Act to incorporate Trent University

Statutes of Ontario, 1962-63

CHAPTER 192

WHEREAS Trent College Limited by its petition has ^{Preamble} *Corporations Act, 1953, o. 19* represented that it was incorporated under *The Cor-*

porations Act, 1953 by letters patent bearing date the 9th day of August, 1960; and whereas the petitioner has prayed for special legislation changing its name to "Trent University" and providing for modification of its organization, government and administration and enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

*Interpre-
ation*

- (a) "Board" means the Board of Governors of the University;
- (b) "Chancellor" means the Chancellor of the University;
- (c) "President and Vice-Chancellor" means the President and Vice-Chancellor of the University;
- (d) "property" includes all property of any kind or nature, both real and personal;
- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University;
- (g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in

the work of teaching or giving instruction or in research;

(h) "University" means Trent University. 1962-63, c. 192, s. 1.

Trent University established

2.—(1) The persons named in section 6 and such other persons who may hereafter become members of the Board are hereby created a body corporate with perpetual succession and a common seal under the name of "Trent University".

Property vested in University

(2) The property of Trent College Limited is hereby vested in Trent University, and the liabilities of Trent College Limited, together with the benefits and burdens of all contracts and covenants of Trent College Limited, are hereby assumed by Trent University.

Dissolution of Trent College Limited

(3) Trent College Limited is dissolved on the day this Act comes into force. 1962-63, c. 192, s. 2.

Objects and purposes of University

3. The objects and purposes of the University are,

(a) the advancement of learning and the dissemination of knowledge; and

(b) the intellectual, social, moral and physical development of its members and the betterment of society. 1962-63, c. 192, s. 3.

Faculties and schools

4. The University has power to establish and maintain such faculties, schools, institutes, departments, chairs and courses as the Senate deems necessary and as shall be approved with respect to finances and facilities by the Board. 1962-63, c. 192, s. 4.

Degrees

5. The University has power and authority to grant any and all university degrees and honorary degrees and diplomas in all branches of learning. 1962-63, c. 192, s. 5.

Provisional board

6. The Board of Governors, until reconstituted in accordance with section 7, shall consist of the following persons:

Charles Kenneth Fraser, B.Sc., P.Eng.
 W. Donaldson Whyte, M.D., F.R.C.S. (Edin.)
 Rev. John Francis Coughlan, B.A.
 Norman Joseph Crook, B.A., D.F.C.
 Thomas Henry Bull Symons, B.A., M.A. (Oxon.)
 Walter George Ward, B.Eng., P.Eng.
 1962-63, c. 192, s. 6.

Composition of Board

7. Within twelve months after the coming into force of this Act, the Board shall be reconstituted to consist of,

- (a) the Chancellor *ex officio*;
- (b) the President and Vice-Chancellor *ex officio*;
- (c) such number of members, not exceeding twenty-four, as may be prescribed by the by-laws of the Board, elected or appointed for a term of up to four years in the manner prescribed by the by-laws of the Board. 1962-63, c. 192, s. 7.

8. The Board shall elect a chairman from among its ^{Chairman of Board} members. 1962-63, c. 192, s. 8.

9. After thirty days notice to any member of the Board, ^{Declaration of vacancy} the Board may, by resolution passed by at least two-thirds of the total members of the Board by votes cast at a meeting of the Board, declare vacant the seat of such member. 1962-63, c. 192, s. 9.

10. Except as to such matters specifically assigned by this ^{Power of Board} Act to the Senate or the councils of the faculties, as hereinafter referred to, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, but without limiting the generality of the foregoing, power,

- (a) to appoint and remove the President and Vice-Chancellor;
- (b) to appoint, promote and remove the deans of all the faculties, the senior administrative officers of the University, including, but without limiting the generality of the foregoing, the Registrar of the University, the Librarian of the University, the Bursar of the University and the Secretary of the Board, the teaching staff of the University and all such other officers, clerks, employees, agents and servants as the Board deems necessary or expedient for the purposes of the University, but no person shall be appointed a dean of any faculty, a senior administrative officer or a member of the teaching staff of the University or any of the faculties or schools thereof unless he has been first nominated by the President and Vice-Chancellor, and no dean of a faculty, senior administrative officer or member of the teaching staff shall be promoted or removed from office except on the recommendation of the President and Vice-Chancellor, but this provision

does not apply where there is a vacancy in the office of President and Vice-Chancellor;

- (c) to fix the number, duties and salaries and other emoluments of the officers, clerks, employees, agents and servants of the University;
- (d) to appoint an executive committee and such other committees as it deems desirable, and to delegate to any such committee any of the powers of the Board;
- (e) to make by-laws and regulations for the conduct of its affairs, including the fixing of a quorum, the election or appointment of its members and the filling of vacancies. 1962-63, c. 192, s. 10.

Senate

11. There shall be a Senate of the University composed of,

- (a) the Chancellor *ex officio*;
- (b) the President and Vice-Chancellor *ex officio*;
- (c) the deans of all faculties *ex officio*; and
- (d) such other persons elected or appointed in such manner as the Senate determines. 1962-63, c. 192, s. 11.

**Powers
of Senate**

12. The Senate is responsible for the educational policy of the University, and, with the approval of the Board in so far as the expenditure of funds and the establishment of faculties are concerned, may create such faculties, departments, schools or institutes or establish chairs as the Senate may determine, may enact by-laws and regulations for the conduct of its affairs and, without limiting the generality of the foregoing, has power,

- (a) to elect the Chancellor;
- (b) to control, regulate and determine the educational policy of the University;
- (c) to determine the courses of study and standards of admission to the University and continued membership therein, and qualifications for degrees and diplomas;
- (d) to conduct examinations and appoint examiners;
- (e) to deal with all matters arising in connection with the award of fellowships, scholarships, bursaries, medals, prizes and other awards;
- (f) to confer the degrees of Bachelor, Master and Doctor, and all other degrees and diplomas in all

branches of learning that may appropriately be conferred by a university. 1962-63, c. 192, s. 12.

13. The chairman of the Senate shall be the President and ^{Chairman of Senate} Vice-Chancellor. 1962-63, c. 192, s. 13.

14. There shall be a council to be known as the Council of ^{Council of the Faculty of Arts and Science} the Faculty of Arts and Science, which shall consist of,

- (a) the President and Vice-Chancellor *ex officio*;
- (b) the Dean of the Faculty of Arts and Science;
- (c) such teaching staff in the Faculty of Arts and Science of the University and such other officers as shall be defined in the by-laws of the Council of the Faculty of Arts and Science. 1962-63, c. 192, s. 14.

15. The chairman of the Council of the Faculty of Arts and Science shall be the President and Vice-Chancellor or his ^{Chairman of the Council} nominee. 1962-63, c. 192, s. 15.

16. The powers and duties of the Council of the Faculty of Arts and Science are, ^{Powers and duties of Council}

- (a) to make rules and regulations for governing its procedures, including the fixing of a quorum;
- (b) subject to the provisions of this Act and to the approval of the Board, to make rules and regulations for the government, direction and management of the Faculty of Arts and Science and the affairs and business thereof;
- (c) subject to the approval of the Senate, to fix and determine the courses of study in the Faculty of Arts and Science;
- (d) subject to the approval and confirmation of the Senate, to appoint examiners for and to conduct the examinations of the courses in the Faculty of Arts and Science and to determine the results of such examinations;
- (e) subject to an appeal to the Senate, to deal with and decide on all applications and memorials by students and others in connection with the Faculty of Arts and Science;
- (f) to consider and report to the Senate upon such matters affecting the Faculty of Arts and Science as the Council thereof may deem necessary. 1962-63, c. 192, s. 16.

Faculty councils

17. There shall be a council for each of the other faculties and schools of the University, now or hereafter established, to consist of the dean or director thereof and such of the teaching staff thereof as defined in the by-laws and regulations of such councils, and each such council has the same powers and duties, *mutatis mutandis*, with respect to its faculty or school as the Council of the Faculty of Arts and Science has with respect to the Faculty of Arts and Science. 1962-63, c. 192, s. 17.

President and Vice-Chancellor

18.—(1) There shall be a President and Vice-Chancellor of the University who shall be appointed by the Board and who, unless otherwise provided by the Board, shall hold office during the pleasure of the Board.

Vice-President

(2) The Board may appoint, on the recommendation of the President and Vice-Chancellor, a Vice-President who shall act in the absence of the President and who shall have such other powers and duties as may be conferred upon him by the Board on the recommendation of the President.

Powers and duties of President

(3) The President is Vice-Chancellor and chief executive officer of the University who,

(a) in the absence of or vacancy in the office of Chancellor, shall perform the functions of the Chancellor;

(b) shall be the chairman of the Senate;

(c) shall supervise and direct the implementation of the educational policy and general administration of the University, the teaching staff thereof and the students thereof;

(d) shall have sole authority to recommend academic and senior administrative appointments, promotions and terminations of appointment; and

(e) shall have such other powers and duties as from time to time may be assigned to him by the Board. 1962-63, c. 192, s. 18.

Chancellor

19. The Senate shall elect a Chancellor, who shall be the titular head of the University, who shall confer all degrees and diplomas and who shall, subject to the will of the Senate, hold office for three years or until his successor is elected. 1962-63, c. 192, s. 19.

Religious tests not required

20. No religious test shall be required of any member of the teaching staff, officer or servant or agent or of any member

of the University, nor shall any religious observance be imposed upon them by the University. 1962-63, c. 192, s. 20.

21. The University has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property whatsoever, whether real or personal, and sell, grant, convey, pledge, mortgage, hypothecate, lease or otherwise dispose of or encumber such estate or property or any part thereof from time to time and, as occasion requires, to acquire any estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding. 1962-63, c. 192, s. 21.

22. All property heretofore or hereafter granted, conveyed, devised or bequeathed to Trent College Limited or in trust for the benefit of Trent College Limited is vested in the University, subject to any trust or trusts affecting the property. 1962-63, c. 192, s. 22.

23. The property vested in the University and any lands and premises leased to and occupied by the University shall not be liable to taxation or other imposition for provincial, municipal or school purposes, and shall be exempt from every description of taxation or other imposition so long as the same are actually used and occupied for the purposes of the University. 1962-63, c. 192, s. 23.

24. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, and no power to expropriate real property hereafter conferred shall extend to such property unless the Act conferring such power applies expressly thereto. 1962-63, c. 192, s. 24.

25. The University has university powers, including the power, without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and expropriate all such real property as it deems necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof and all persons having an interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the secretary of the Board. 1962-63, c. 192, s. 25.

26. All property vested in the University, as far as the application thereto of any statute of limitations is concerned, shall be deemed to have been and to be real property vested in the Crown for the public use of Ontario. 1962-63, c. 192, s. 26.

27. The property and the income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. 1962-63, c. 192, s. 27.

28. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the Board, subject to any trust or trusts affecting them, may be invested and re-invested from time to time in such investments as the Board in its absolute discretion deems meet. 1962-63, c. 192, s. 28.

29. The University, if authorized by by-laws of the Board, may,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge, charge or mortgage all or any part of the property of the University to secure any money so borrowed or the fulfillment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations.

1962-63, c. 192, s. 29.

30. The University has the power and capacity to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board may determine. 1962-63, c. 192, s. 30.

31. The accounts of the University shall be audited at least once a year by an auditor appointed by the Board. 1962-63, c. 192, s. 31.

32. The University shall submit to the Lieutenant Governor ^{Annual} ~~report~~ in Council, upon request, the annual report of the University ^{report} and such other reports as may be required from time to time. 1962-63, c. 192, s. 32.

33. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

34. This Act may be cited as *The Trent University Act*, ^{short title} 1962-63.

THE UNIVERSITY OF WATERLOO ACT, 1959.

An Act respecting The University of Waterloo

Statutes of Ontario, 1959

CHAPTER 140

as amended by

1960-61, Chapter 139 and 1962-63, Chapter 193.

WHEREAS Waterloo College Associate Faculties by its *Preamble* petition has represented that it was incorporated under *The Corporations Act, 1953* by letters patent bearing date the 1953, c. 19 4th day of April, 1956, that it was granted certain additional powers by *The Waterloo College Associate Faculties Act, 1958* 1958, c. 164 and that it is affiliated with The University of Western Ontario through Waterloo College; and whereas the petitioner has prayed for special legislation changing its name to "The University of Waterloo" and granting to it university status and further additional powers; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

*Interpreta-
tion*

- (a) "affiliated college" means a college affiliated with the University;
- (b) "Board" means The Board of Governors, The University of Waterloo;
- (c) "college" includes a school or other institution of higher learning;
- (d) "federated college" means a university or college federated with the University;
- (e) "property" includes all property, both real and personal;
- (f) "real property" includes messuages, lands, tenements, and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;

(g) "Senate" means the Senate of the University;

(h) "University" means The University of Waterloo. 1959, c. 140, s. 1.

Corporation
continued

2. The corporation of Waterloo College Associate Faculties is hereby continued as a body corporate with perpetual succession under the name of "The University of Waterloo" and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it now has, holds, possesses or enjoys and, subject to the provisions of this Act, all by-laws, orders and regulations of the corporation now in force shall continue in force until amended or repealed. 1959, c. 140, s. 2.

University
powers re
faculties,
degrees

3. The University shall have university powers, including,

(a) the power to establish and maintain such faculties, schools, institutes, departments and chairs as determined by the Board, but the curricula of all courses of instruction shall be determined by the Senate; and

(b) the power to confer university degrees, honorary degrees and awards in any and all branches of learning. 1959, c. 140, s. 3.

University
non-denom-
inational

4. The management and control of the University shall be non-denominational, and no religious test shall be required of any professor, lecturer, teacher, officer, employee or servant, or of any student, of the University. 1962-63, c. 193, s. 1.

Proceedings
in
University
name

5. All proceedings by or against the University may be had and taken in the name of "The University of Waterloo". 1959, c. 140, s. 5.

Property
R.S.O. 1950,
c. 184

6. The University shall have, in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive, by deed, gift, bequest or devise, and to hold and enjoy any estate or property whatsoever and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require and to acquire other estate and property in addition thereto, or in the place thereof, without licence in mortmain and without limitation as to the period of holding. 1959, c. 140, s. 6.

PROPERTY

Trust
property
vested in
University

7. All property hereafter granted, conveyed, devised or bequeathed to, or to any person in trust for or for the benefit of, the University or any faculty, school or department operated by its board of governors or otherwise in connection

therewith or to any person in trust for, or for the benefit of, Waterloo College Associate Faculties, subject to any trusts affecting the same, shall be vested in the University. 1959, c. 140, s. 7.

8. Real property vested in the University shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. 1959, c. 140, s. 8.

9. All the property vested in the University shall, as far as the application thereto of any statute of limitations concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario. 1959, c. 140, s. 9.

10. The property of the University shall be applied solely for the purposes of the University. 1959, c. 140, s. 10.

11. The funds of the University not immediately required for its purposes and the proceeds of all property which comes to the hands of the Board, subject to any trusts affecting the same, may be invested and reinvested in such investments as to the Board shall seem meet. 1959, c. 140, s. 11.

BOARD OF GOVERNORS

12. The Board of Governors of the University is hereby constituted a body corporate by the name and style of "The Board of Governors, The University of Waterloo". 1959, c. 140, s. 12.

13. The Board shall number thirty-six members in all and shall consist of the following:

(a) The President of the University, the Chancellor of the University, the Mayor of the City of Waterloo, the Mayor of the City of Kitchener, and the Warden of Waterloo County, who shall be *ex officio* members with full voting rights.

(b) The present members of the Board of Waterloo College Associate Faculties.

(c) Two members appointed by the Lieutenant-Governor in Council. 1959, c. 140, s. 13.

14. Unless their election or appointment shall be otherwise designated, the members of the Board shall hold office as follows:

- (a) Of the members mentioned in clause *b* of section 13, namely, the present members of the Board of Waterloo College Associate Faculties, one-third, to be chosen by the members of the Board, shall hold office for one year after the incorporation of the University, one-third shall hold office for two years, and the remaining one-third shall hold office for three years.
- (b) The members of the Board appointed by the Lieutenant-Governor in Council shall each hold office for three years.
- (c) As the term of any member of the Board expires, such member shall be eligible for re-appointment and, in the case of such re-appointment, shall hold office until such time as his successor is elected or appointed.
- (d) Except as otherwise provided in this Act, all members of the Board shall be elected by the Board. 1959, c. 140, s. 14.

**Eligibility
of staff, etc.**

15. Except as otherwise provided in this Act, no principal or head of any of the academic units of the University or of any federated or affiliated college, or any member of the teaching or administrative staff of the University or of any federated or affiliated college, or any member of the staff, board, senate or governing body of any other degree-granting institution, shall be eligible for appointment or election as a member of the Board. 1959, c. 140, s. 15.

**Membership
vacated**

16.—(1) If a member of the Board, during his term of office, accepts or occupies any of the offices or positions mentioned in section 15 or becomes mentally incapacitated or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office and it shall be the duty of the Board by resolution to declare his membership vacant.

**Absence
from
meetings**

(2) If, within any fiscal year of the University, a member of the Board, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of the Board, the Board may by resolution declare his membership vacant.

Idem

(3) If, within any fiscal year of the University, a member of the Board, not having been granted leave of absence by the Board, attends less than 25 per cent of the regular meetings of the Board, he shall *ipso facto* vacate his office and it shall be the duty of the Board by resolution to declare his membership vacant.

Proof

(4) A resolution passed under this section, entered in the minutes of the Board, shall be conclusive evidence of the vacancy declared therein. 1959, c. 140, s. 16.

17. Where a vacancy on the Board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1959, c. 140, s. 17.

18.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman and, in case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) In case of the absence or illness of the chairman and of the vice-chairman, the Board may appoint one of its members to act as chairman *pro tempore* and the member so appointed shall act as and have all the powers of the chairman. 1959, c. 140, s. 18.

19. Ten members, not including *ex officio* members, shall constitute a quorum of the Board. 1959, c. 140, s. 19.

20. Notwithstanding any vacancy, so long as there are at least ten members, not including *ex officio* members, the Board may exercise all or any of its powers. 1959, c. 140, s. 20.

21. The Board shall have power to make regulations, Regulations

(a) pertaining to the meetings of the Board and its transactions; and

(b) providing for the appointment of committees and for the conferring upon any such committees authority to act for the Board with respect to any matter, but no decision of a committee, which includes in its membership persons who are not members of the Board, shall be valid and effective until approved and ratified by the Board, unless the Board so provides. 1959, c. 140, s. 21.

22.—(1) Except in such matters as are assigned by this Act to the Senate, the government, conduct, management and control of the University and of its property, revenues, business and the affairs thereof shall be vested in the Board and the Board shall have all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University and, without limiting the generality of the foregoing, shall have power,

(a) to appoint and remove the President and Vice-Presidents, the heads and associate heads of the

faculties and colleges other than federated or affiliated colleges of the University, the professors and other members of the teaching staff of the University, and to appoint and remove all other officers, agents and servants of the University;

- (b) to fix the numbers, duties, salaries and other emoluments of all officers, agents and servants of the University;
- (c) to appoint an executive committee and such other committees as it may deem advisable and to delegate to any such committee any of its powers;
- (d) to borrow money for the purposes of the University and to give security therefor on such terms and in such amounts as it may deem advisable;
- (e) to make by-laws and regulations for the conduct of its affairs; and
- (f) to provide for the federation or affiliation with the University of any college of higher learning and, in order to preserve the non-denominational nature of the University, no more than two colleges of the same denominational control shall be affiliated or federated with the University at the same time and no college affiliated or federated with the University shall be affiliated with, or have affiliated with it, any other college, school or institute of higher learning without specific permission in writing by the Board. 1959, c. 140, s. 22 (1); 1962-63, c. 193, s. 2 (1)

Approval re
federation or
affiliation

(2) The acceptance of any federated or affiliated college by the University is subject to the approval of the boards of governors or trustees of the institutions then federated or affiliated with the University, and of the Senate, but such consent shall not be unreasonably withheld. 1962-63, c. 193, s. 2 (2).

Responsi-
bility for
conduct
of students

22a.—(1) The Board and the governing bodies of the federated and affiliated colleges shall, respectively, have disciplinary jurisdiction over, and entire responsibility for, the regulation of the conduct of their students in respect of all matters arising or occurring in or upon their respective buildings and grounds.

Delegation
of
authority

(2) In all other cases, with respect to all students of the University and the federated and affiliated colleges, disciplinary jurisdiction shall be vested in the Board, and the

Board, by action properly taken and recorded in its minutes or by-laws, may delegate to any governing body, officer or servant of the University or of any federated and affiliated college, as may be specified, its authority in any particular case.

(3) The Board shall determine the proper body to exercise jurisdiction in any matter of discipline that may arise wherein there is a question as to the proper body under which it should come, and the Board's decision in such matters is final.

Determination of disputes

(4) Disciplinary jurisdiction includes the power to suspend, expel, impose fines and recommend to the Senate the withholding of degrees, diplomas, certificates or academic standing. 1962-63, c. 193, s. 3.

Power to suspend, etc. -

23. The Board may modify, alter and change the constitution of any body or committee constituted or continued by this Act, except the Senate, and may create such new bodies or committees as may be deemed necessary for the purpose of carrying out the objects and provisions of this Act and may confer upon the bodies or committees constituted or continued by this Act, or any of them, or on any new body or committee hereafter constituted, such powers as the Board may see fit, but nothing herein shall authorize any abridgement or change in the powers conferred on the Senate by this Act. 1959, c. 140, s. 23.

Power of Board to change committees' constitution

24. Except as otherwise provided in this Act, the action of the Board in any matter with which it may deal shall be by resolution or by by-law as the Board may determine, but it shall not be essential to the validity of any such resolution or by-law that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board. 1959, c. 140, s. 24.

Authentication of by-laws, etc.

25.—(1) The accounts for the Board shall be audited at least once a year by an auditor or auditors appointed by the Board.

Audit of accounts

(2) The Board shall make an annual financial report to the Lieutenant-Governor in Council in such form as the Lieutenant-Governor in Council may require. 1959, c. 140, s. 25.

Annual report

26. If any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-President or of any dean or head of any University academic unit, or of any officer or employee of the University, it shall be settled and determined by the Board, whose decision shall be final. 1959, c. 140, s. 26.

Question as to powers and duties settled by Board

27. All the powers over, in respect of, or in relation to, the University, its properties, employees, personnel and students, which are not by the terms of this Act directed to be exercised by any other body, person or body of persons, are hereby, subject to the provisions of this Act, vested in the Board. 1959, c. 140, s. 27.

SENATE

28.—(1) There shall be a Senate of the University composed as follows:

(a) The following shall be *ex officio* members:

- (i) the Chancellor,
- (ii) the Vice-Chancellor,
- (iii) the Academic Vice-President of the University,
- (iv) the principal or head of each federated or affiliated college,
- (v) the dean of each faculty or school of the University,
- (vi) the academic dean of each federated college,
- (vii) the Librarian,
- (viii) the Chairman of the Board,
- (ix) the Registrar,
- (x) the Director of the University Extension Department.

(b) The faculties and schools of the University shall have the following representation, and the representatives shall be appointed by and from among the members of their respective faculty councils unless otherwise provided by the Senate:

- (i) the Faculty of Arts, four members,
- (ii) the Faculty of Engineering, four members,
- (iii) the Faculty of Science, four members,
- (iv) the Faculty of Graduate Studies, three members,

- (v) any other faculty or school that may hereafter be established within the University, which offers courses leading to a degree, two members.
- (c) The faculties of the federated and affiliated colleges shall have the following representation, and the representatives shall be appointed by and from among the members of their respective faculties unless otherwise provided by the Senate:
 - (i) the faculty of each federated college, three members,
 - (ii) the faculty of each affiliated college, one member for every five full-time faculty members, or for any major portion thereof, up to a maximum of three members.
- (d) Six representatives of the secondary schools in Ontario to be elected in the manner determined by Senate, two of whom shall represent the schools in the County of Waterloo.
- (e) The alumni of,
 - (i) the University, one member for each graduating class, up to a total of six,
 - (ii) each federated college, three members,
 - (iii) each affiliated college, two members.

(2) The Vice-Chancellor of the University shall be the ~~officers~~ chairman of the Senate, and the Academic Vice-President of the University shall be the vice-chairman of the Senate. 1962-63, c. 193, s. 4.

29.—(1) The members of the Senate, other than *ex officio* ~~officers~~ members, shall hold office for a term of three years and shall be eligible for re-appointment or re-election, as the case may be. 1962-63, c. 193, s. 5.

(2) In the case of the first appointments made after the ^{First} coming ^{into force} of this Act and in the case of the first of ^{appoint-} ^{ments} any new appointments made pursuant to the provisions of this Act, such appointments or election shall be for terms of one, two or three years, so spaced that as nearly as possible one-third come up for re-appointment or re-election each year.

(3) In the case of each group or body having the power to ^{Appoint-} ^{ments,} elect or appoint members to the Senate, where the number ^{etc.,} by

bodies to be appointed or elected is not three or a multiple of three, the body appointing or electing a member or members of the Senate shall adhere as closely to this system of election or appointment as is possible, having regard to the number to be appointed or elected by each of such bodies. 1959, c. 140, s. 29(2-3).

Eligibility of staff of University 30. Members of the teaching or administrative staff of the University shall not be eligible for election by any of the graduate bodies. 1959, c. 140, s. 30.

Eligibility of staff of affiliated colleges 31. Members of the teaching or administrative staff of any federated or affiliated college shall not be eligible for election by any of the graduate bodies. 1959, c. 140, s. 31.

Eligibility of member of governing body of another university 32. No person shall be eligible for election or appointment as a member of the Senate who is a member of a governing body or senate or faculty of any degree-granting university, college or institution of higher learning, other than the University and its federated or affiliated colleges. 1959, c. 140, s. 32.

Vacancies 33. If an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or becomes a member of the teaching or administrative staff of any of the bodies mentioned in section 30 or 31, not being the body he has been appointed to represent, or accepts membership in any of the bodies mentioned in section 32, not being the body which he has been appointed to represent, he shall *ipso facto* vacate his office and a declaration of the existence of any vacancy entered on the minutes of the Senate shall be conclusive evidence thereof. 1959, c. 140, s. 33.

Filling vacancies 34. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1959, c. 140, s. 34.

Disputes as to elections 35. The Senate shall have the sole right to determine any question concerning the election of any elected member of the Senate or the right of any person to sit or be or act as a member of the Senate, and the decision of the Senate in any such matter shall be final. 1959, c. 140, s. 35.

Powers and duties of Senate 36.—(1) The Senate,

- (a) shall be responsible for the educational policy of the University;
- (b) may make recommendations to the Board relative to the creation of faculties, schools, institutes, departments or chairs within the University;
- (c) may recommend to the Board the establishment of courses of instruction, including extension courses on the University campus and elsewhere;
- (d) may confer degrees, diplomas and certificates in any subject taught in the University or its federated or affiliated colleges;
- (e) may confer honorary degrees in any department of learning;
- (f) may create faculty councils or committees and committees generally to exercise its powers; and
- (g) may enact statutes in regulating the matters in this section referred to.

(2) The Senate may confer honorary degrees in divinity without fees upon the recommendation of any theological college federated or affiliated with the University.

(3) The qualifications of faculty members within the University and its federated or affiliated colleges shall be a concern of the Senate. 1959, c. 140, s. 36.

37.—(1) In addition to such other powers and duties as are expressly mentioned in this Act, the Senate shall,

- (a) provide for the regulation and conduct of its proceedings, including the determination of a quorum necessary for the transaction of business;
- (b) provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in section 36;
- (c) consider and recommend to the Board,
 - (i) the federation or affiliation of any college for teaching any branch of learning, provided, however, that, in order to preserve the non-denominational nature of the University, no more than two colleges of the same denominational control shall be federated or affiliated

with the University at the same time and no college federated or affiliated with the University shall be affiliated with, or have affiliated with it, any other college, school or institute of higher learning without specific permission in writing by the Board,

- (ii) the dissolution or suspension of any such federation or affiliation, or the modification or alteration of the terms thereof;
- (d) consider and determine, on the recommendations of the respective faculty and school councils, the courses of study in all faculties and schools;
- (e) consider and determine, on the recommendations of the respective faculty and school councils, the conduct and results of examinations in all faculties and schools;
- (f) hear and determine appeals from the decisions of the faculty and school councils on applications and examinations by students;
- (g) provide for representation on the Senate of the graduates of any other faculty or school hereafter established in the University if, in the opinion of the Senate, provision should be made for separate representation of such graduates;
- (h) provide, if deemed necessary by the Senate, for an executive committee which shall act in the name and on behalf of the Senate between regular meetings of the Senate whose constitution and powers shall be as the Senate may from time to time determine. 1959, c. 140, s. 37 (1); 1962-63, c. 193, s. 6.

Degree-granting
right of
affiliated
colleges
suspended

- (2) If any college is federated or affiliated with the University and has the right to grant degrees, such right, except for degrees in theology, shall remain dormant during the time that such college remains federated or affiliated with the University. 1957, c. 140, s. 37 (2).

CHANCELLOR

38.—(1) There shall be a Chancellor of the University who shall be elected by an electoral board consisting of,

- (a) all members, except *ex officio* members, of the Board; and

(b) representatives of the Senate equal in number to the members of the Board entitled to be members of the electoral board, such representatives to include, as *ex officio* members, the Vice-Chancellor, the Vice-President and the Registrar, and the remainder to be chosen by the Senate from among its members in such manner as it may determine.

(2) Twelve members of the electoral board, counting the Vice-Chancellor, the Vice-President and the Registrar, if present, shall constitute a quorum. Quorum

(3) No person shall occupy the office of Chancellor unless he is a British subject. Who eligible

(4) No person shall occupy the office of Chancellor who is a member of the teaching staff or of the administrative staff or who is an employee of the University or of any federated or affiliated college or who is a member of the Board or of the governing board of any federated or affiliated college. 1959, c. 140, s. 38. Idem

39.—(1) The term of office of the Chancellor shall be for six years, commencing with the 1st day of July of the year in which the appointment is made, and no Chancellor shall be eligible for re-election. Term of office

(2) If a vacancy in the office of Chancellor occurs from any cause, the vacancy shall be filled by the appointment of a successor in the manner set out in section 38 and the successor shall hold office for six years, terminating on the 30th day of June in the sixth year after his appointment, and no such successor shall be eligible for re-election. Vacancy

(3) If the Chancellor ceases to be eligible for such office or becomes mentally incapacitated or otherwise incapable of acting, he shall *ipso facto* vacate his office and a declaration of the existence of such vacancy by the Senate and by the Board entered in the minutes of the Senate and of the Board shall be conclusive evidence thereof. 1959, c. 140, s. 39. Where Chancellor becomes ineligible

40. The Chancellor shall preside at all Convocations and, by virtue of the authority vested in him by the Senate, shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate. 1959, c. 140, s. 40. Duties

VICE-CHANCELLOR

41.—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University. Vice-Chancellor

To act in
absence of
Chancellor (2) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor, or a member of the faculty of the University appointed by him, shall act as Chancellor at Convocation.

Absence of
Chancellor
and Vice-
Chancellor (3) In the absence of both the Chancellor and Vice-Chancellor or if both offices are vacant, the duties of the Chancellor shall be performed by a member of the faculty of the University appointed by the Senate for the purpose. 1959, c. 140, s. 41.

42. Repealed. 1960-61, c. 139, s. 1.

43. Repealed. 1960-61, c. 139, s. 1.

Commencement (44. This Act shall be deemed to have come into force on the 15th day of November, 1958.

Short title (45. This Act may be cited as *The University of Waterloo Act, 1959*.

THE UNIVERSITY OF WESTERN ONTARIO
ACT, 1955.

An Act respecting The University of Western Ontario

Statutes of Ontario, 1955

CHAPTER 118

WHEREAS The University of Western Ontario by its ^{Preamble} petition has prayed for special legislation varying the provisions of its Act of Incorporation in relation to its organization, government and administration and enlarging and increasing its powers, rights and privileges; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

^{Interpreta-}
tion

- (a) "Board" means The Board of Governors, The University of Western Ontario;
- (b) "college" includes a school or other institution of higher learning offering courses leading year for year to a degree;
- (c) "property" includes all property, both real and personal;
- (d) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (e) "Senate" means Senate of The University of Western Ontario;
- (f) "University" means The University of Western Ontario. 1955, c. 118, s. 1.

2. The University named "The University of Western Ontario", commonly known and referred to as "Western", ^{University continued}

its Board of Governors, Senate, Convocation, faculties and schools are and each of them is hereby continued, and, subject to this Act, shall respectively have, hold, possess and enjoy all the property, rights, powers and privileges which they respectively now have, hold, possess or enjoy. 1955, c. 118, s. 2.

Appoint-
ments,
statutes and
regulations
continued

3. All appointments in and statutes and regulations affecting the University and each of them shall continue, subject to this Act, and subject also, as to the teaching staff and all officers, servants and employees, to their removal by the Board. 1955, c. 118, s. 3.

Religious
tests not
required

4. The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any professor, lecturer, teacher, officer, employee or servant, or of any student of the University, nor shall any religious observances according to the forms of any particular denomination or sect be imposed on them. 1955, c. 118, s. 4.

Proceedings
by or against
University

5. All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario". 1955, c. 118, s. 5.

AFFILIATED COLLEGES

Affiliated
colleges

6.—(1) Every college affiliated with the University shall continue to be so affiliated, subject to any statute in that behalf and to this Act.

Idem

(2) The following are declared to be the colleges affiliated with the University:

- (a) Alma College;
- (b) Huron College;
- (c) Music Teachers' College;
- (d) St. Peter's Seminary College of Arts;
- (e) Ursuline College;
- (f) Waterloo College. 1955, c. 118, s. 6.

GRANTS

Grants by
City of
London

7. The City of London may grant annually or from time to time to the Board for the use of the University such a sum or sums as may be agreed upon by the City and the University, and it shall not be necessary to obtain the assent

of the electors qualified to vote on money by-laws for any such grant, provided, however, that any grant in excess of Seventy-five Thousand Dollars (\$75,000) in any one year shall first receive the assent of the said electors. 1955, c. 118, s. 7.

8. The county council of any of the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington and Waterloo, or the council of any municipality in such counties other than the City of London, may make grants to the Board for the use of the University, and it shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws for any such grant, provided, however, that any grant in excess of Twenty Thousand Dollars (\$20,000) in any one year shall first receive the assent of the said electors. 1955, c. 118, s. 8.

PROPERTY

9. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any faculty, school or department thereof or otherwise in connection therewith, subject always to the trust affecting the same, shall be vested in the Board. 1955, c. 118, s. 9.

10. All real property vested in the Board shall, as far as the application of statute of limitations is concerned, including any statute limiting or defining the period for the investigation of titles, be deemed to have been and to be real property vested in the Crown for the public uses of the Province of Ontario 1955, c. 118, s. 10.

11. The real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. 1955, c. 118, s. 11.

THE BOARD OF GOVERNORS

12. The Board of Governors of the University is hereby constituted a body corporate by the name and style of "The Board of Governors, The University of Western Ontario". 1955, c. 118, s. 12.

Composition
of Board

13. The Board shall consist of the President and the Vice-President of the University, the Mayor of the City of London, the Warden of the County of Middlesex and the Chancellor, who shall be *ex officio* members, and fourteen members appointed or elected as follows:

- (a) The council of the City of London shall appoint four members, during such time as the City shall make to the Board the annual grant or grants as provided in section 7.
- (b) The Lieutenant-Governor in Council shall appoint four members.
- (c) The Alumni Association of the University may appoint or elect two members, in such manner and on such terms as the Board may determine.
- (d) The members appointed or elected, as the case may be, under clauses *a*, *b* and *c* shall elect four members. 1955, c. 118, s. 13.

Term of
office

14. Unless his election or appointment shall be otherwise designated, each member shall hold office for four years, shall be eligible for re-appointment or re-election, as the case may be, and shall hold office until such time as his successor is elected or appointed. 1955, c. 118, s. 14.

Eligibility

15. No person shall be eligible for appointment or election to the Board who is not a British subject and whose customary place of residence is not within the Province of Ontario. 1955, c. 118, s. 15.

Head of
affiliated
college, etc.,
ineligible

16. Except as otherwise provided in this Act, no principal or head of any of the academic units of the University or of any affiliated college or any member of the teaching or administrative staff of the University or of any affiliated college or any member of the staff, Board or governing body of any other degree-granting institution shall be eligible for appointment or election as a member of the Board. 1955, c. 118, s. 16.

Membership
vacated

17.—(1) If a member of the Board during his term of office accepts or occupies any of the offices or positions mentioned in section 16 or ceases to have his customary place of residence within Ontario or becomes mentally incapacitated or otherwise incapable of acting as a member, he shall *ipso facto* vacate his office and it shall be the duty of the Board by resolution to declare his membership vacant.

(2) If within any fiscal year of the University a member of the Board not having been granted leave of absence by the Board attends less than 50 per cent of the regular meetings of the Board, the Board may by resolution declare his membership vacant.

(3) If within any fiscal year of the University a member of the Board not having been granted leave of absence by the Board attends less than 25 per cent of the meetings of the Board, he shall *ipso facto* vacate his office and it shall be the duty of the Board by resolution to declare his membership vacant.

(4) A resolution passed under this section entered in the minutes of the Board shall be conclusive evidence of the vacancy declared therein. 1955, c. 118, s. 17.

18. Where a vacancy on the Board occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1955, c. 118, s. 18.

19.—(1) The Board shall elect one of its members to be chairman and one of its members to be vice-chairman, and in the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) In case of the absence or illness of the chairman and of the vice-chairman, the Board may appoint one of its members to act as chairman *pro tempore* and the member so appointed shall act as and have all the powers of the chairman. 1955, c. 118, s. 19.

20. Six members, not including *ex officio* members, shall constitute a quorum of the Board. 1955, c. 118, s. 20.

21. Notwithstanding any vacancy, so long as there are at least ten members, not including *ex officio* members, the Board may exercise all or any of its powers. 1955, c. 118, s. 21.

22. Except in such matters as are assigned by this Act to the Senate, the government, conduct, management and control of the University and of its property, revenues, business and affairs thereof shall be vested in the Board. 1955, c. 118, s. 22.

23. The Board shall have power to make regulations, Regulations

(a) pertaining to the meetings of the Board and its transactions;

(b) providing for the appointment of committees and for the conferring upon any such committees of authority to act for the Board with respect to any matter, but no decision of a committee which includes in its membership persons who are not members of the Board shall be valid or effective until approved and ratified by the Board, unless the Board so provides. 1955, c. 118, s. 23.

**Powers of
Board**

24. Without limiting the general powers of the Board, the Board shall have the power to,

(a) appoint the President and Vice-Chancellor of the University, the Vice-President of the University, the Principal of University College, the deans of all faculties, the heads of all academic units within the University, the Comptroller of the University, the Bursar of the University, the Librarian of the University, the Registrar of the University, the professors and all other members of the teaching staff of the University, and all such officers, clerks and other employees as the Board may think necessary for the purposes of the University, and fix their salaries or remuneration and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board and determine their functions, duties, powers and responsibilities;

(b) provide for the retirement and superannuation of the persons mentioned in clause *a*;

(c) provide for payments by way of gratuities, retiring allowances, superannuation allowances, pensions, annuities, or life insurance or any combination thereof payable to, in respect of, or for the benefit of the persons mentioned in clause *a* or any class or classes thereof out of a fund or funds comprising contributions made by such persons or any class or classes thereof, or by the Board, or both, or otherwise;

(d) expend such sums as may be required for the purposes of funds which are established for the payment of gratuities, retirement allowances, pensions, life insurance or health insurance for the benefit of the persons mentioned in clause *a*;

(e) appoint by resolution a member or members of the Board or any other person or persons to execute on behalf of the Board either documents and other

instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;

- (f) establish such faculties, schools, departments, chairs and courses of instruction in any subject except theology in the University or elsewhere as the Board may determine, but the curricula of all courses of instruction shall be the responsibility of the Senate;
- (g) enter into agreements for the founding, establishment or maintenance of chairs, scholarships, fellowships, prizes, bursaries and other awards;
- (h) provide for the affiliation with the University of any college in Ontario established for teaching divinity, arts, science, law, medicine, music, engineering, agriculture, or any other useful branch of learning, on such terms as the Board may determine, and enter into any agreement which may be deemed necessary to effectuate such affiliation, provided, however, that such college shall be one offering courses leading year for year to a degree, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board;
- (i) provide for the dissolution of any such affiliation or of any existing affiliations or for the modification or alteration of the terms thereof;
- (j) provide for the management, government and control of the residences and dining halls operated and maintained by the University;
- (k) fix the fees to be paid for instruction in all faculties, schools, departments and courses now in existence or hereafter established and under the control of the University, for all ancillary activities and the fees for examinations, degrees, diplomas and certificates;
- (l) provide such means for health service and health examination, instruction and training in physical education for the students of the University as the Board may see fit;

- (m) sell any of the real property vested in the Board, or lease the same for any period of years with such right of renewal and under and subject to such rents, covenants, agreements and conditions as the Board may see fit;
- (n) dedicate real property vested in the Board for public highways or other public purposes, on such terms and conditions as the Board may see fit;
- (o) expend such sums as the Board may deem necessary for the support and maintenance of the University and for the betterment of existing buildings and the erection of such new buildings as the Board may deem necessary for the use or purposes of the University and for the furnishing and equipment of such existing and newly erected buildings;
- (p) expend such sums as the Board may deem necessary for the purchase, erection, equipment, furnishing and maintenance of residences and dining halls for the use of the students of the University, whether such students are undergraduates or graduates;
- (q) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (r) purchase, assume and hold by gift or devise real property for the purpose of the University without licence in mortmain;
- (s) purchase and acquire all such property as the Board may deem necessary for the purposes of the University, and such power shall include that of purchasing the interest of a lessee in any real property vested in the Board which is under lease;
- (t) without the consent of the owner or of any person interested therein, enter upon, take, use, and appropriate all such real property as the Board may deem necessary for the purposes of the University, making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein, and the provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the Board and to the exercise by it of the powers conferred by this clause, and where any act is by any of such provisions

required to be done by the clerk of a municipality or at the office of such clerk the like act shall be done by or at the office of the comptroller, or by or at the office of such officer of the University exercising the office of a comptroller, as the case may be;

- (u) acquire, hold, maintain and keep in proper order and condition such real property as the Board may deem necessary for the use of the students of the University for athletic purposes and erect and maintain such buildings and structures thereon as it may deem necessary;
- (v) borrow from time to time from any bank or elsewhere on such terms as may be agreed on such sums of money as may be required for the purposes of the University;
- (w) purchase or otherwise acquire any invention or any interest therein, or any rights in respect thereof, or any secret or other information as to any invention and apply for, purchase or otherwise acquire any patents, interests in patents, licences and the like conferring any exclusive or non-exclusive or limited right to make or use or sell any invention or inventions and use, exercise and develop, dispose of, assign or grant licences in respect of or otherwise turn to account property rights or information so acquired and generally to possess, exercise and enjoy all the rights, powers and privileges which the owner of any invention or any rights in respect thereof, or the owner of a patent or invention or any rights thereunder may possess, exercise and enjoy;
- (x) apply for, purchase or otherwise acquire any trademarks or trade names or any similar right or any interest therein and use, dispose of, assign or otherwise turn to account the trademarks, trade names and interest so acquired and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a trademark or trade name or the like may possess, exercise and enjoy;
- (y) apply for, purchase or otherwise acquire any copyright or similar right or any interest therein, or right thereunder, and use, exercise, develop, dispose of, assign or grant licences in respect of, or otherwise turn to account any copyright or similar right or any interest or right so acquired and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or

similar right, or any interest therein or right thereunder, may possess, exercise and enjoy. 1955, c. 118, s. 24.

Alterations
to consti-
tution

25. The Board may modify, alter and change the constitution of any body or committee constituted or continued by this Act except the Senate, and may create such new bodies or committees as may be deemed necessary for the purpose of carrying out the objects and provisions of this Act and may confer upon the bodies or committees constituted or continued by this Act, or any of them, and on any new body or committee hereafter constituted such powers as the Board may see fit, but nothing herein shall authorize any abridgement or change in the powers conferred on the Senate by this Act. 1955, c. 118, s. 25.

Authentica-
tion of
by-laws,
etc.

26. Except as otherwise provided in this Act, the action of the Board in any matter with which it may deal shall be by resolution or by by-law as the Board may determine, but it shall not be essential to the validity of any such resolution or by-law that it be under the corporate seal of the Board if it is authenticated in the manner prescribed by the Board. 1955, c. 118, s. 26.

Audit of
accounts

27.—(1) The accounts of the Board shall be audited at least once a year by an auditor or auditors appointed by the Board.

Annual
report

(2) The Board shall make an annual financial report to the Lieutenant-Governor in Council in such form as the Lieutenant-Governor in Council may require. 1955, c. 118, s. 27.

Actions
against
Board

28. Without the written consent of the Attorney-General, no action shall be brought against the Board or against any member of it on account of anything done or omitted by him in the execution of his office. 1955, c. 118, s. 28.

Question as
to powers
and duties
settled by
Board

29. If any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-President, Comptroller, Registrar, Librarian, Principal of University College or of any other dean or head of any academic unit, or of any officer or employee of the University, it shall be settled and determined by the Board, whose decision shall be final. 1955, c. 118, s. 29.

Residual
powers of
Board

30. All the powers over, in respect of, or in relation to the University, its properties, employees, personnel and students which are not by the terms of this Act directed to be exercised

by any other person or body of persons are hereby subject to the provisions of this Act vested in the Board. 1955, c. 118, s. 30.

SENATE

31.—(1) There shall be a Senate of the University composed as follows: Senate, how composed

(a) The following shall be *ex-officio* members:

- (i) the Chancellor,
- (ii) the Vice-Chancellor,
- (iii) the Vice-President of the University,
- (iv) the Principal of University College,
- (v) the Principal or other head of each affiliated college,
- (vi) the dean of each faculty or school of the University,
- (vii) the Librarian,
- (viii) the President of the General Alumni Association, provided that his ordinary place of residence is within the County of Middlesex, and if not, then a member of the General Alumni Association whose ordinary place of residence is within the County of Middlesex appointed in writing by such President,
- (ix) the Chairman of the Board,
- (x) the Registrar, who shall be secretary of the Senate,
- (xi) the Director of the Summer School and Extension Department,
- (xii) the Director of the French Summer School.

(b) The faculties and schools of the University shall have the following representation and the representatives shall be appointed by their respective faculty councils, unless otherwise provided by the Senate, but one member shall be the principal, dean or other head of such faculty or school:

- (i) the Faculty of University College—four members,

- (ii) the Faculty of Medicine—three members,
- (iii) the Faculty of Graduate Studies—two members,
- (iv) the School of Nursing—two members,
- (v) the School of Business Administration—two members,
- (vi) any other faculty or school which may hereafter be established within the University and which offers courses leading to a degree—a minimum of two members but not exceeding three members, as determined by the Senate.

(c) The affiliated colleges shall have the following representation and the representatives shall be appointed by their respective governing bodies but one member shall be the principal or other head of the affiliated college:

- (i) Alma College—one member,
- (ii) Huron College—two members,
- (iii) Music Teachers' College—one member,
- (iv) St. Peter's Seminary College of Arts—two members,
- (v) Ursuline College—two members,
- (vi) Waterloo College—two members,
- (vii) any other college or school which may hereafter become affiliated—one member, provided, however, that if such affiliated college or school prescribes and administers courses approved by the Senate leading to the Bachelor of Arts degree, then such college or school may be represented by a maximum of two members as determined by the Senate.

(d) The Board shall be represented by the Chairman of the Board as an *ex officio* member and one further member appointed by the Board.

(e) The City of London may be represented by six members of whom three shall be appointed by the council of the city, two shall be appointed by the

Board of Education of the City, and one shall be appointed by the Separate School Board of the City.

- (f) One member may be appointed by the council of each of the counties named in section 8, and by the council of each city in such counties, other than the council of the City of London.
- (g) The principals of the continuation schools, high schools, collegiate institutes and vocational high schools or institutes in the counties named in section 8 may elect four members from their own number.
- (h) Each of the following groups of graduates may appoint or elect, in such manner and on such terms as the Senate shall determine, the following members:
 - (i) the General Alumni Association of the University may appoint or elect ten members (not including the President of the General Alumni Association) in such manner and on such terms as the Senate may determine,
 - (ii) the graduates in Arts and Science who at the time of graduation were enrolled in Huron College, Music Teachers' College, St. Peter's Seminary College of Arts, Ursuline College, Waterloo College or any other college which may hereafter be affiliated and approved by the Senate to conduct courses leading to a degree in Arts and Science may elect one member each from the graduates of each of such affiliated colleges.

(2) The Vice-Chancellor of the University shall be chairman of the Senate and the Vice-President of the University shall be vice-chairman of the Senate. 1955, c. 118, s. 31.

32. The members of the Senate shall hold office for a term of three years and shall be eligible for re-appointment or re-election as the case may be. 1955, c. 118, s. 32.

33. Members of the teaching or administrative staff of the University shall not be eligible for election by any of the graduate bodies. 1955, c. 118, s. 33.

34. Members of the teaching or administrative staff of an affiliated college shall not be eligible for election by any of the graduate bodies. 1955, c. 118, s. 34.

Eligibility of member of governing body of another university **35.** No person shall be eligible for election or appointment as a member of the Senate who is a member of a governing body or senate or faculty of any other degree-granting university, college or other institution of higher learning. 1955, c. 118, s. 35.

Vacancies in Senate

36. If an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or becomes a member of the teaching or administrative staff of any of the bodies mentioned in section 31, not being the body which he has been appointed to represent, or accepts membership in any of the bodies mentioned in section 31, not being the body which he has been appointed to represent, he shall *ipso facto* vacate his office, and a declaration of the existence of any vacancy entered on the minutes of the Senate shall be conclusive evidence thereof. 1955, c. 118, s. 36.

Filling vacancies

37. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, as the case may be, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant. 1955, c. 118, s. 37.

Disputes as to election

38. The Senate shall have the sole right to determine any question concerning the election of any elected member of the Senate or the right of any person to be or sit or act as a member of the Senate, and the decision of the Senate in any such matter shall be final. 1955, c. 118, s. 38.

Powers and duties of Senate

39.—(1) The Senate,

- (a) shall be responsible for the educational policy of the University;
- (b) may make recommendations to the Board relative to the creation of faculties, schools, departments or chairs within the University;
- (c) may recommend to the Board the establishment of courses of instruction, including extension courses, in the University and elsewhere;
- (d) may confer degrees, diplomas and certificates in any subject taught in the University or in theology as taught in any of the affiliated colleges;
- (e) may confer honorary degrees in any department of learning;

- (f) may create faculty councils or committees and committees generally to exercise any of its powers;
- (g) may enact statutes regulating the matters in this section referred to.

(2) The Senate shall confer honorary degrees in divinity without fees upon the recommendation of any theological college affiliated with the University. 1955, c. 118, s. 39.

40. In addition to such others as are expressly mentioned in this Act, the powers and duties of the Senate shall be to,

Additional powers and duties of Senate

- (a) provide for the regulation and conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (b) provide for the convening and conduct of such Convocations as may be requisite for the purposes set out in section 39;
- (c) recommend to the Board,
 - (i) the affiliation of any college established in Ontario for teaching divinity, arts, science, law, medicine, music, engineering, agriculture or any other useful branch of learning; provided, however, that in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board; and further provided that no college shall be affiliated which is not offering courses leading year for year to a degree, and
 - (ii) the dissolution or suspension of any such affiliation, or the modification or alteration of the terms thereof;
- (d) consider and determine on the recommendations of the respective faculty and school councils the courses of study in all faculties and schools;
- (e) consider and determine on the recommendations of the respective faculty and school councils the conduct and results of the examinations in all faculties and schools;

- (f) hear and determine appeals from the decisions of the faculty and school councils on applications and examinations by students;
- (g) provide for the representation on the Senate of any faculty or school hereafter established in the University and of the graduates in such faculty or school, if in the opinion of the Senate provision should be made for separate representation of such graduates;
- (h) provide, if deemed necessary by the Senate, for an executive committee which shall act in the name and on behalf of the Senate between regular meetings of the Senate, whose constitution and powers shall be as the Senate may from time to time determine.

1955, c. 118, s. 40.

CHANCELLOR

Chancellor,
election of

41.—(1) There shall be a Chancellor of the University who shall be elected by an electoral board consisting of,

- (a) all members, except *ex officio* members, of the Board; and
- (b) representatives of the Senate equal in number to the members of the Board entitled to be members of the electoral board, such representatives to include as *ex officio* members the Vice-Chancellor, Vice-President and Registrar and the remainder to be chosen by the Senate from among its members in such manner as it may determine,

and eight members of the electoral board including the Vice-Chancellor, Vice-President and Registrar shall constitute a quorum.

Who eligible

(2) No person shall occupy the office of Chancellor unless he is a British subject and his customary place of residence is within the Province of Ontario.

Who
ineligible

(3) No person shall occupy the office of Chancellor who is a member of the teaching staff or of the administrative staff, or who is an employee of the University or of any affiliated college, or who is a member of the Board of the University or of the governing body of any affiliated college.

1955, c. 118, s. 41.

Term of
office

42.—(1) The term of office of the Chancellor shall be for six years commencing with the 1st day of July of the year in which the appointment is made, and no Chancellor shall be eligible for re-election.

(2) If a vacancy in the office of Chancellor occurs from ^{Vacancy in} any cause, the vacancy shall be filled by the appointment of ^{office} a successor in the manner set out in section 41, and the successor shall hold office for six years terminating on the 30th day of June in the sixth year after his appointment, and no such successor shall be eligible for re-election.

(3) If the Chancellor ceases to be eligible for such office ^{Where} or becomes mentally incapacitated, or otherwise incapable of ^{Chancellor becomes} acting, he shall *ipso facto* vacate his office and a declaration ^{ineligible} of the existence of such vacancy by the Senate and the Board entered in the minutes of the Board and of the Senate shall be conclusive evidence thereof. 1955, c. 118, s. 42.

43. The Chancellor shall preside at all convocations and ^{Duties} by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate. 1955, c. 118, s. 43.

VICE-CHANCELLOR

44.—(1) There shall be a Vice-Chancellor of the University ^{Vice-Chancellor} who shall be the President of the University.

(2) In the absence of the Chancellor or there being a ^{Vice-Chancellor} vacancy in the office, the Vice-Chancellor or a member of the ^{to act in} Faculty of the University appointed by him shall act as ^{absence of} ^{Chancellor} Chancellor at Convocation.

(3) In the absence of both Chancellor and Vice-Chancellor, ^{Absence of} or if both offices are vacant, the Chancellor's duties shall ^{Chancellor and Vice-Chancellor} be performed by a member of the Faculty of the University appointed by the Senate for the purpose. 1955, c. 118, s. 44.

OFFICIAL VISITOR

45. His Honour the Lieutenant-Governor of the Province ^{Official} ^{visitor} of Ontario shall be the Official Visitor of the University. 1955, c. 118, s. 45.

GENERAL

46. Sections 1 and 3 of *An Act to incorporate The Western University of London, Ontario*, being chapter 70 of the Statutes of Ontario, 1878, sections 1, 2, 3, 4, 5 and 6 of *An Act respecting the Western University and College*, being chapter 140 of the Statutes of Ontario, 1906, and *The University of Western Ontario Act, 1923* are repealed.

47. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

48. This Act may be cited as *The University of Western Ontario Act, 1955*. ^{Short title}

THE UNIVERSITY OF WINDSOR ACT,
1962-63.

An Act to incorporate the University of Windsor

Statutes of Ontario, 1962-63

CHAPTER 194

WHEREAS Assumption University of Windsor, Essex Preamble College and the Board of Regents of Assumption University of Windsor by their petition have represented that they are desirous of establishing in the City of Windsor, in the Province of Ontario, a non-denominational institution to provide facilities for instruction in all branches of higher learning having the rights and powers of a university; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

- (a) "affiliated college" means a college affiliated with the University either directly or through a federated college;
- (b) "Alumni Association" means such organization comprised of former students of Assumption College and Assumption University of Windsor and the University as is from time to time recognized as such by the University;
- (c) "Board" means the Board of Governors of the University;
- (d) "Chancellor" means the Chancellor of the University;
- (e) "Corporation" means the body corporate of the University;
- (f) "federated college" means a college or university federated with the University;

Interpre-
tation

- (g) "graduates" means graduates of the University and includes persons who have been awarded degrees under the Charter of Assumption College or of Assumption University of Windsor, and persons who, having completed courses of instruction at Assumption College, have been awarded degrees by the University of Western Ontario upon the recommendation of the Faculty of Assumption College;
- (h) "President" means the President of the University;
- (i) "property" includes all property, both real and personal;
- (j) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (k) "Senate" means the Senate of the University;
- (l) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;
- (m) "University" means the University of Windsor;
- (n) "Vice-Chancellor" means the Vice-Chancellor of the University. 1962-63, c. 194, s. 1.

University
of Windsor
incor-
porated

2. The present members of the Board of Governors of Assumption University of Windsor, the Board of Directors of Essex College and the Board of Regents of Assumption University of Windsor, namely:

James H. Barth; Charles T. Carson; William J. Carter; William Conklin; Rev. Cornelius P. Crowley; Joseph R. Deane; G. Arthur Dew; Samuel E. Dinsmore; Anthony F. Fuerth; Harry E. Gignac; Eli C. Goldin; William T. Grant; Gordon Gray; William A. Harrison; Jerome R. Hartford; H. Clifford Hatch; Carleton Healy; Frank J. Hogan, Gilbert R. Horne; George O. Keutgen; Eric B. Lavelle; Rev. E. Carlisle LeBel; Raymond J. Lyons; Rev. Edmund J. McCorkell; Leon Z. McPherson; Helen M. McTague; Rev. Hugh V. Mallon; John E. Marshall; William D. Merlo; Dr. G. Malcolm Morton; Max N. Mousseau; Rev. Daniel J. Mulvihill; Benjamin Ormseth; John M. Page; Jacob Rash; Rev. E. Arthur

Roberts; Philip A. Rudge; Rev. Norbert J. Ruth; Leo J. Ryan; Rhys M. Sale; Frank T. Sherk; S. J. Stodgell; John J. Stuart; Ronald W. Todgham; Dr. Anthony T. Wachna; Dr. William R. Waddell; Richard T. Waddington; James E. Watson; George R. Weller; Very Rev. Joseph C. Wey, and John W. Whiteside,

and such other persons who are or may hereafter be appointed President or elected or appointed members of the Board, are hereby created a body corporate with perpetual succession and a common seal under the name University of Windsor. 1962-63, c. 194, s. 2.

3. The objects and purposes of the University are,

Objects and purposes

- (a) the advancement of learning and the dissemination of knowledge; and
- (b) the intellectual, spiritual, moral, social and physical development of its members and students and the betterment of society. 1962-63, c. 194, s. 3.

4. The University has university powers, including the *Powers* power,

- (a) to establish and maintain faculties, schools, institutes, departments, chairs and courses of instruction;
- (b) to confer academic degrees and honorary degrees, awards and diplomas in any and all branches of learning;
- (c) to permit federation or affiliation of other colleges or universities with the University and to make agreements for federation or affiliation with other colleges or universities. 1962-63, c. 194, s. 4.

5. The management and control of the University shall be vested in a non-denominational board of governors, and no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University, but such management and control shall be based upon Christian principles. 1962-63, c. 194, s. 5.

6. The corporation of Essex College shall be and become merged with the University on the 1st day of July, 1963, on which date all property of Essex College shall be vested in the University, and, subject to the provisions of this Act, the University shall have, hold, possess and enjoy all property, rights, powers, privileges, purposes and objects that Essex College had, held, possessed or enjoyed, and shall be liable for and subject to all debts and other obligations that Essex College was liable for or subject to immediately before such date. 1962-63, c. 194, s. 6.

*Essex
College
merged with
University*

Present
faculties,
courses, etc.

7. The faculties, schools, institutes, departments, chairs and courses of instruction presently established and maintained by Assumption University of Windsor and by Essex College shall, on the 1st day of July, 1963, be undertaken by the University and be continued under the authority of the Board and Senate. 1962-63, c. 194, s. 7.

Trust
property
vested in
University

8. All property hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, shall be vested in the University.

1962-63, c. 194, s. 8.

Property

R.S.O. 1960,
c. 191

9. The University has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by deed, gift, bequest or devise and to hold and enjoy any estate or property whatsoever, and to sell, grant, convey, mortgage, lease or otherwise dispose of such estate or property or any part thereof from time to time and as occasion may require, and to acquire other estate or property, in addition thereto or in place thereof, without licence in mortmain and without limitation as to the period of holding. 1962-63, c. 194, s. 9.

Tax
exemption

10. Property vested in the University or in any federated or affiliated college or property vested in both the University and one or more federated or affiliated colleges, and any property leased to and occupied by the University or federated or affiliated colleges or leased to and occupied by the University and one or more federated or affiliated colleges, are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation so long as the same are actually used and occupied for the purposes of the University or of a federated or affiliated college. 1962-63, c. 194, s. 10.

Property
not liable to
expropria-
tion

11. Property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any other person possessing the right to take land compulsorily for any purpose, and no power to expropriate real property hereafter conferred on any corporation, or upon any other person, shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. 1962-63, c. 194, s. 11.

Expropria-
tion

12.—(1) The University has power without the consent of the owner or of any person interested therein, other than a municipal corporation, to enter upon, take, use and appropriate all such real property as it deems necessary for the purposes of the University or its federated and affiliated colleges, making due compensation for any such real property

to the owners and occupiers thereof and all persons having an interest therein, and the provisions of *The Municipal Act* as R.S.O. 1960, c. 249 to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation apply *mutatis mutandis* to the University and to the exercise by it of the powers conferred by this Act, and, where any act is by any of such provisions required to be done by the clerk of a municipality or at the office of such clerk, the like act shall be done by or at the office of the Treasurer of the University or by or at the office of such officer as may be appointed by the Board exercising the office of Treasurer.

(2) Subsection 1 does not apply with respect to land in the City of Windsor now owned by the Basilian Fathers of Sandwich in Ontario or by the Roman Catholic Episcopal Corporation of the Diocese of London. 1962-63, c. 194, s. 12.

13. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1962-63, c. 194, s. 13.

14. The property, and the income, revenue, issues and profits of all property, of the University shall be applied solely to achieving the objects and purposes of the University. 1962-63, c. 194, s. 14.

15. The funds of the University not immediately required for its purposes, and the proceeds of all property that comes to the hands of the Board, subject to any trust or trusts affecting such moneys, may be invested and re-invested in such investments as the Board deems meet. 1962-63, c. 194, s. 15.

16. The University, if authorized by by-law of the Board, may,

- (a) borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including banks, as may be determined by the Board;
- (b) make, draw and endorse promissory notes or bills of exchange;
- (c) hypothecate, pledge, charge or mortgage any part or all of its property to secure any money so borrowed or the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may

decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations; provided that no expenditure shall be made or liability incurred that has the effect of involving or impairing any endowments of the University. 1962-63, c. 194, s. 16.

Members
and officers
not in-
dividually
liable for
debts

17. Nothing herein contained has the effect of, or shall be construed to have the effect of, rendering all or any of the members or officers of the University, or any person whomsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account of or in respect of the University or for or on account of or in respect of any matter or thing whatsoever relating to the University. 1962-63, c. 194, s. 17.

Composition
of the
Board

18. The Board shall be constituted as follows:

1. The President of the University *ex-officio*;
2. The following fourteen persons:

Eli C. Goldin, Executive
 H. Clifford Hatch, Executive
 Frank T. Sherk, Executive
 John J. Stuart, Executive
 Ronald W. Todgham, Executive
 Richard T. Waddington, Professional Engineer
 William R. Waddell, Physician
 George R. Weller, Merchant
 John W. Whiteside, Barrister-at-law
 Anthony F. Fuerth, Retired Gentleman
 William T. Grant, Executive
 Raymond J. Lyons, Executive
 G. Malcolm Morton, Surgeon
 John M. Page, Executive

3. The following six persons appointed to the Board by the Board of Governors of Assumption University of Windsor:

The Rev. Cornelius P. Crowley, C.S.B.
 The Rev. E. Carlisle LeBel, C.S.B.
 The Rev. Hugh V. Mallon, C.S.B.
 The Rev. Daniel J. Mulvihill, C.S.B.
 The Rev. E. Arthur Roberts, C.S.B.
 The Rev. Norbert J. Ruth, C.S.B.

4. The following two persons appointed by the Alumni Association from among its own number:

Joseph R. Deane, Executive
 James A. Holden, Barrister-at-law

5. The following four persons appointed by the Lieutenant Governor in Council:

Alphonse Gignac, Executive
 Richard A. Graybiel, Executive
 Jerome R. Hartford, Union Representative
 Clare R. MacLeod, Educationist

6. Such other persons appointed by the Board and for such terms as the Board may by by-law determine, provided that the total number of the members of the Board does not exceed thirty. 1962-63, c. 194, s. 18.

19.—(1) All elected or appointed members of the Board are eligible for re-election or re-appointment. Members eligible for re-election or re-appointment

(2) Notwithstanding any vacancies on the Board, as long as there are at least twenty members on the Board, it may exercise its powers. Necessary membership

(3) The Board shall by by-law determine a quorum. Quorum

(4) The Board shall elect from its members a chairman and a vice-chairman. Chairman

(5) After thirty days notice to any member, the Board, by a resolution passed at a meeting at which at least two-thirds of the members of the Board are present, may declare vacant the seat of such member. Vacancies

(6) The Board may fill any vacancy on the Board, except with respect to those members appointed by the Lieutenant Governor in Council, for the unexpired balance of the term. Filling of vacancies

(7) The members of the Board of Directors of Essex College shall cease to hold office on the 1st day of July, 1963. Present members of Essex College

(8) The Board shall keep proper records and minutes of its proceedings and proper books of account of the financial affairs of the University. 1962-63, c. 194, s. 19. Records

20. The members of the Board shall hold office as follows: Terms of office

1. Of the members mentioned in paragraph 2 of section 18, the first four members shall hold office for a period of one year, the next five members shall hold office for a period of two years, and the remaining five members shall hold office for a period of three years, and, as the term of any such member expires, the vacancy shall be filled by election by the Board, and such election shall be for a period of three years, and so on from time to time.

2. Of the members mentioned in paragraph 3 of section 18, two members shall hold office for a period of one year, two members shall hold office for a period of two years and two members shall hold office for a period of three years, and, as the term of any such member expires, the vacancy shall be filled by appointment by the Board of Governors of Assumption University of Windsor, and such appointment shall be for a term of three years, and so on from time to time.
3. The two members appointed by the Alumni Association shall hold office for three years and until their successors are appointed by the Alumni Association.
4. The four members appointed by the Lieutenant Governor in Council shall hold office for three years and until their successors are appointed by the Lieutenant Governor in Council. 1962-63, c. 194, s. 20.

**Powers of
the Board**

21.—(1) Except in such matters as are assigned by this Act to the Senate and the boards of federated and affiliated colleges, the government, conduct, management and control of the University and of its property, revenues, business and affairs are vested in the Board, and the Board has all the powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to make by-laws, rules and regulations in respect of all such matters as may seem necessary or advisable for the government, management, conduct and control of the University, and to repeal or vary such by-laws, rules and regulations;
- (b) to appoint and remove the Chancellor, the President and the Executive Vice-President, if any;
- (c) to appoint and remove, on the recommendation of the President, the following persons, namely, the Academic Vice-President, if any, the deans and associate deans of the faculties of the University, the directors of schools within the University, the heads of academic departments and divisions, the professors and other members of the academic staff; provided that all such appointments made by the Board shall be made in accordance with the rules and regulations, with respect to qualifications for appointment, as may from time to time be adopted by the Senate, and the President shall, before making such recom-

mendations for appointment, consult with the appropriate committee of the Senate regarding such appointments;

- (d) to appoint and remove, on the recommendation of the President, all other officers, agents and servants of the University;
- (e) to determine the number, duties, salaries and other emoluments of all officers, agents and servants of the University, and to delegate such authority to the appropriate academic and administrative officers and committees;
- (f) to provide for the appointment of committees by the Board and for conferring authority upon any of such committees to act for it with respect to any matter or class or classes of matters;
- (g) to provide for the appointment and establishment of such advisory, deliberative or administrative persons, offices and bodies of the University, including a joint committee of the Senate and the Board to discuss matters of mutual concern, as shall be deemed meet by the Board, and to fix their respective memberships, powers and duties.

(2) By-laws, rules and regulations made by the Board do not require confirmation by the members of the Corporation. Confirmation of by-laws, etc.
1962-63, c. 194, s. 21.

22.—(1) There shall be a Chancellor of the University Chancellor who shall hold office for four years and is eligible for re-appointment.

(2) The Chancellor is the titular head of the University Titular head and shall confer all degrees.

(3) The President is Vice-Chancellor of the University and, President to be Vice-Chancellor in the absence of or vacancy in the office of the Chancellor, shall perform the functions of the Chancellor.

(4) In the absence of the Chancellor and the Vice-Chancellor, the Senate shall appoint one of its number to confer degrees. Degrees 1962-63, c. 194, s. 22.

23.—(1) There shall be a President of the University President who shall be appointed by the Board and who, unless otherwise provided, shall hold office during the pleasure of the Board.

President
to be chief
executive

(2) The President is the chief executive officer of the University and chairman of the Senate and has supervision over and direction of the academic work and general administration of the University and the teaching staff thereof, and the officers and servants thereof, and the students thereof, and also has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board. 1962-63, c. 194, s. 23.

Vice-
presidents

24. There shall be one or more vice-presidents of the University who shall assist the President and who have such other powers, rights and duties as may be assigned to them by the Board. 1962-63, c. 194, s. 24.

Senate

25. There shall be a Senate of the University comprised as follows:

1. The President, the Executive Vice-President, if any, the Academic Vice-President, if any, the dean and associate dean of each faculty within the University, the directors of schools within the University, the academic heads of colleges affiliated or federated with the University, the executive director of student affairs, the Director of Extension, the Librarian, and the Registrar of the University, *ex officio*.
2. The heads of academic departments in the Faculty of Arts and Science and in the Faculty of Applied Science.
3. Two members from the teaching staff of every faculty of the University, such members to be elected for terms of one year by the teaching staffs of their respective faculties.
4. Two members to be appointed for terms of two years by the Alumni Association from among the graduates.
5. Such other members as the Senate may by by-law determine. 1962-63, c. 194, s. 25.

Members
eligible for
re-election

26.—(1) All elected or appointed members of the Senate are eligible for re-election or re-appointment.

Quorum

(2) Notwithstanding any vacancies on the Senate, as long as there are at least thirty members, the Senate may exercise its powers, and one-half of the members constitutes a quorum.

Chairman

(3) The President is the chairman of the Senate.

(4) The Registrar of the University is, *ex officio*, secretary ~~Secretary~~ of the Senate.

(5) After thirty days notice to any member, the Senate, ~~vacancies~~ by a resolution passed by at least two-thirds of the votes cast at a meeting of the Senate at which not less than two-thirds of the members are present, may declare vacant the seat of such member.

(6) The Senate may fill any vacancy on the Senate for the ~~Filling of
vacancies~~ unexpired balance of the term.

(7) Elected representatives on the Senate shall hold office until their successors are elected, provided that elected representatives of faculties and schools shall cease to be members of the Senate upon ceasing to be a member of the faculty or school that they represent. 1962-63, c. 194, s. 26.

~~Term of
office of
elected
members~~

27. The Senate has power,

~~Powers of
the Senate~~

- (a) to make regulations regarding the academic qualifications for appointment and promotion of the members of the academic staff of the University and the federated and affiliated colleges thereof, and to establish a committee on appointment and promotion under the chairmanship of the President or his delegate to act for and in the name of the Senate in applying such regulations to individual staff members proposed for appointment or promotion within the University or its federated or affiliated colleges;
- (b) to appoint an executive committee and such other committees as it may deem advisable and to delegate to any such committee any of its powers;
- (c) to regulate the academic programs pursued in the University, and the conduct, activities and discipline of the students;
- (d) to determine standards for admission to the University, courses of study, and qualifications for degrees;
- (e) to conduct examinations and appoint examiners;
- (f) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;

- (g) to confer academic degrees and honorary degrees, certificates and diplomas in any and all branches of learning;
- (h) to determine, subject to ratification by the Board, the academic terms on which any new faculty or department may be established in the University or any college or school may become part of or be affiliated with the University;
- (i) to make by-laws and regulations for the conduct of its affairs. 1962-63, c. 194, s. 27.

Assumption
University
of Windsor
federated
college

28. Assumption University of Windsor shall, upon the coming into force of this Act, become a federated college of the University, subject to terms mutually agreed upon by such corporations. 1962-63, c. 194, s. 28.

Affiliation
of existing
colleges
continued

29. Holy Redeemer College and Canterbury College shall have the right under this Act of continuing their affiliation with the University through Assumption University or of negotiating separate affiliation or federation agreements with the University, or both, as in their discretion they may deem meet. 1962-63, c. 194, s. 29.

Audit

30. The accounts of the University shall be audited at least once a year by an auditor appointed by the Board. 1962-63, c. 194, s. 30.

Reports to
Lieutenant
Governor

31. The University shall submit to the Lieutenant Governor in Council, upon request, the annual report of the University and such other reports as may be requested from time to time. 1962-63, c. 194, s. 31.

Commencement

32. This Act comes into force on the day it receives Royal Assent.

Short title

33. This Act may be cited as *The University of Windsor Act, 1962-63*.

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THE YORK UNIVERSITY ACT, 1965.

The York University Act, 1965

Statutes of Ontario, 1965

CHAPTER 143

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Board of Governors of York University;
- (b) "Chancellor" means the Chancellor of the University;
- (c) "President" means the President of the University;
- (d) "property" includes real and personal property;
- (e) "real property" includes messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University;
- (g) "teaching staff" includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;
- (h) "University" means York University. 1965, c. 143, s. 1.

2. York University, its Board, Chancellor, President and Senate, and all other attributes thereof, are hereby continued and, subject to the provisions of this Act, have, hold, possess and enjoy respectively all the rights, powers and privileges that they had at the time of the passing of this Act or that are conferred upon them by this Act. 1965, c. 143, s. 2.

**Appoint-
ments,
regulations,
etc., con-
tinued** **3.** All appointments, statutes, constitutions and regulations in and affecting the University are hereby continued, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers and employees, to their removal by the University. 1965, c. 143, s. 3.

Objects **4.** The objects and purposes of the University are,

- (a) the advancement of learning and the dissemination of knowledge; and
- (b) the intellectual, spiritual, social, moral and physical development of its members and the betterment of society. 1965, c. 143, s. 4.

**Faculties,
schools, etc.** **5.** The University may establish and maintain faculties, schools, institutes, departments, chairs and courses. 1965, c. 143, s. 5.

Degrees **6.** The University may grant in all branches of learning any and all university degrees, diplomas and certificates. 1965, c. 143, s. 6.

Board **7.** The Board of Governors of York University shall consist of,

- (a) the Chancellor;
- (b) the President; and
- (c) such number of members, not exceeding thirty, as may be prescribed by the by-laws of the Board, elected for a term of four years in the manner prescribed by the by-laws of the Board. 1965, c. 143, s. 7.

Chairman **8.** The Board shall elect from its members a chairman who shall hold office for a term of seven years and who shall be eligible for re-election for one further term. 1965, c. 143, s. 8.

**Declaration
of vacancies** **9.** After thirty days notice to any member of the Board, the Board may, by resolution passed by at least two-thirds of the members of the Board, declare vacant the seat of such member. 1965, c. 143, s. 9.

**Management
of Uni-
versity
vested in
Board** **10.** Except as to such matters by this Act specifically assigned to the Senate, the government, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the University, including, without limiting the generality of the foregoing, power,

- (a) to appoint and remove the Chancellor;
- (b) to appoint and remove the President and the vice-presidents, if any;
- (c) to appoint, promote and remove all members of the teaching and administrative staffs of the University and all such other officers and employees as the Board may deem necessary or advisable for the purposes of the University, but no member of the teaching or administrative staffs, except the President, shall be appointed, promoted or removed except on the recommendation of the President, who shall be governed by the terms of the University's commitments and practices;
- (d) to fix the number, duties, salaries and other emoluments of officers, agents and employees of the University;
- (e) to appoint an executive committee and such other committees as it may deem advisable, to fix the quorum for meetings of such committees and to give or withhold from the chairmen thereof a casting vote, and to delegate to any such committee any of the powers of the Board;
- (f) to borrow money on the credit of the University in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the Board;
- (g) to make, draw and endorse promissory notes or bills of exchange;
- (h) to hypothecate, pledge, charge or mortgage any part or all of the property of the University to secure any money so borrowed or for the fulfilment of the obligations incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (i) to issue bonds, debentures and obligations on such terms and conditions as the Board may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board may decide, and mortgage, charge, hypothecate or pledge all or any part of the property of the University to secure any such bonds, debentures and obligations;

(j) to make by-laws and regulations for the conduct of the affairs of the Board, including the fixing of a quorum, the election of its members, and the filling of vacancies;

(k) to establish faculties, schools and institutes with the concurrence of the Senate. 1965, c. 143, s. 10.

Senate,
composition

11. There shall be a Senate of the University composed of,

(a) the Chancellor;

(b) the chairman of the Board;

(c) the President;

(d) the Principal of Glendon College;

(e) the dean of each faculty;

(f) the Dean of Atkinson College;

(g) the Director of Libraries;

(h) the vice-presidents of the University;

(i) the chairmen of faculty departments and divisions;

(j) not fewer than two and not more than four members of the Board; and

(k) such numbers of other persons as the Senate may determine,

provided that full-time members of the teaching staff shall always constitute a majority of the members of the Senate. 1965, c. 143, s. 11.

Powers of
Senate

12. The Senate is responsible for the academic policy of the University and may recommend to the Board the establishment of faculties, schools, institutes and departments, and the establishment of chairs, and may establish councils in the faculties, schools or institutes established, and may enact by-laws, rules and regulations for the conduct of its affairs, and, without limiting the generality of the foregoing, has power,

(a) to consult with the Board and to make recommendations as to the appointment of the Chancellor and the President;

- (b) to determine and regulate the standards for the admission of students to the University, the contents and curricula of all courses of study, and the requirements for graduation;
- (c) to conduct examinations and appoint examiners;
- (d) to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards for academic achievement;
- (e) to confer the degrees of Bachelor, Master and Doctor and all other degrees, diplomas and certificates in all branches of learning that may appropriately be conferred by a University;
- (f) after consultation with the Board, to confer honorary degrees. 1965, c. 143, s. 12.

13.—(1) There shall be a President of the University who ^{President} shall be appointed by the Board after consultation with the Senate and who shall hold office during the pleasure of the Board.

(2) The President is Vice-Chancellor and chief executive ^{Powers and duties of President} officer of the University and,

- (a) in the absence of the Chancellor or if there is a vacancy in the office of Chancellor, shall perform the functions of the Chancellor;
- (b) shall supervise and direct the implementation of the educational policy and general administration of the University, the teaching staff, officers, servants and the students thereof;
- (c) has power to formulate and implement regulations governing the conduct of students and student activities;
- (d) has power to recommend to the Board the appointment, promotion and removal of the teaching staff, officers and employees of the University;
- (e) has power to recommend to the Board or the Senate the establishment of new faculties, schools, institutes, programmes and projects;
- (f) has power to examine all the activities of the University and developments in higher education;

- (g) has power to recommend to the Board or the Senate regulations to govern the activities of the faculties, schools, institutes, teaching staff and students;
- (h) has power to establish presidential committees to study and to recommend action on matters affecting the University;
- (i) has such other powers and duties as from time to time may be conferred upon or assigned to him by the Board.

Vice-Presidents

(3) The Board may appoint one or more vice-presidents who shall have such powers and duties as may be conferred on him or them by the President, and one vice-president shall act as President when the President is absent or if there is a vacancy in the office of President and, while so acting, he has all the powers and duties of the President. 1965, c. 143, s. 13.

Chancellor

14. There shall be a Chancellor of the University appointed by the Board, after consultation with the Senate, who shall be the titular head of the University, who shall confer all degrees and who, subject to the will of the Board, shall hold office for three years or until his successor is appointed. 1965, c. 143, s. 14.

Religious tests not required

15. No religious test shall be required of any professor, lecturer, teacher, officer, employee or student of the University, nor shall any religious observances according to the regulations of any particular denomination or sect be imposed upon them. 1965, c. 143, s. 15.

Property

R.S.O. 1960, c. 191

16. The University has, in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, power to purchase or otherwise acquire, take or receive by gift, bequest or devise and to hold and enjoy any estate or property whatsoever, whether real or personal, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate or property in addition thereto or in place thereof without licence in mortmain and without limitation as to the period of holding. 1965, c. 143, s. 16.

Trust property vested in University

17. All property heretofore or hereafter granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University, or of any faculty, school or department thereof or otherwise in connection therewith, subject to any trust or trusts affecting the same, is vested in the University. 1965, c. 143, s. 17.

Tax exemption

18. The property vested in the University and any lands and premises leased to and occupied by the University shall not be liable to taxation for provincial, municipal or school

purposes, and shall be exempt from every description of taxation so long as the same are actually used and occupied for the purposes of the University. 1965, c. 143, s. 18.

19. Real property vested in the University is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred shall extend to such property unless in the Act conferring the power it is made in express terms to apply thereto. 1965, c.143, s.19.

20. All property vested in the University shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of Ontario. 1965, c.143, s.20.

21. The property and the income, revenues, issues and profits of all property of the University shall be applied solely to achieving the objects and purposes of the University. 1965, c. 143, s. 21.

22. The funds of the University not immediately required for its purposes and the proceeds of all property that come to the hands of the Board, subject to any trust or trusts affecting the same, may be invested and re-invested in such investments as the Board deems meet. 1965, c. 143, s. 22.

23. The University has power and capacity to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board, after consultation with the Senate, may determine. 1965, c. 143, s. 23.

24. The accounts of the University shall be audited at least once a year. 1965, c. 143, s. 24.

25. Upon the request of the Lieutenant Governor in Council, the University shall submit to him its annual report and shall submit such other reports as he may request from time to time. 1965, c. 143, s. 25.

26. *The York University Act, 1959* is repealed.

1959, c. 145, repealed

27. This Act comes into force on the day it receives Royal Assent.

Commencement

28. This Act may be cited as *The York University Act*, Short title 1965.

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